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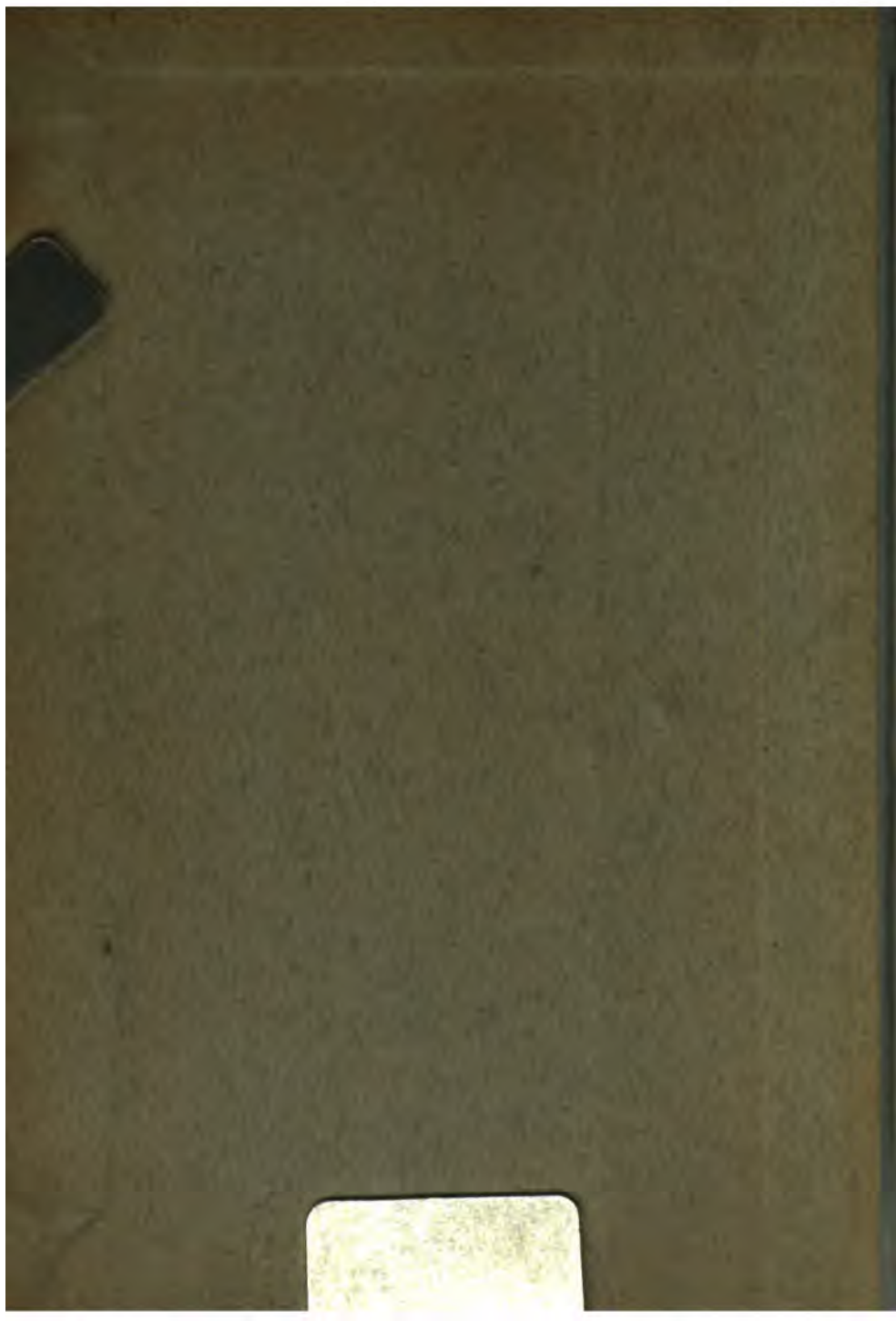
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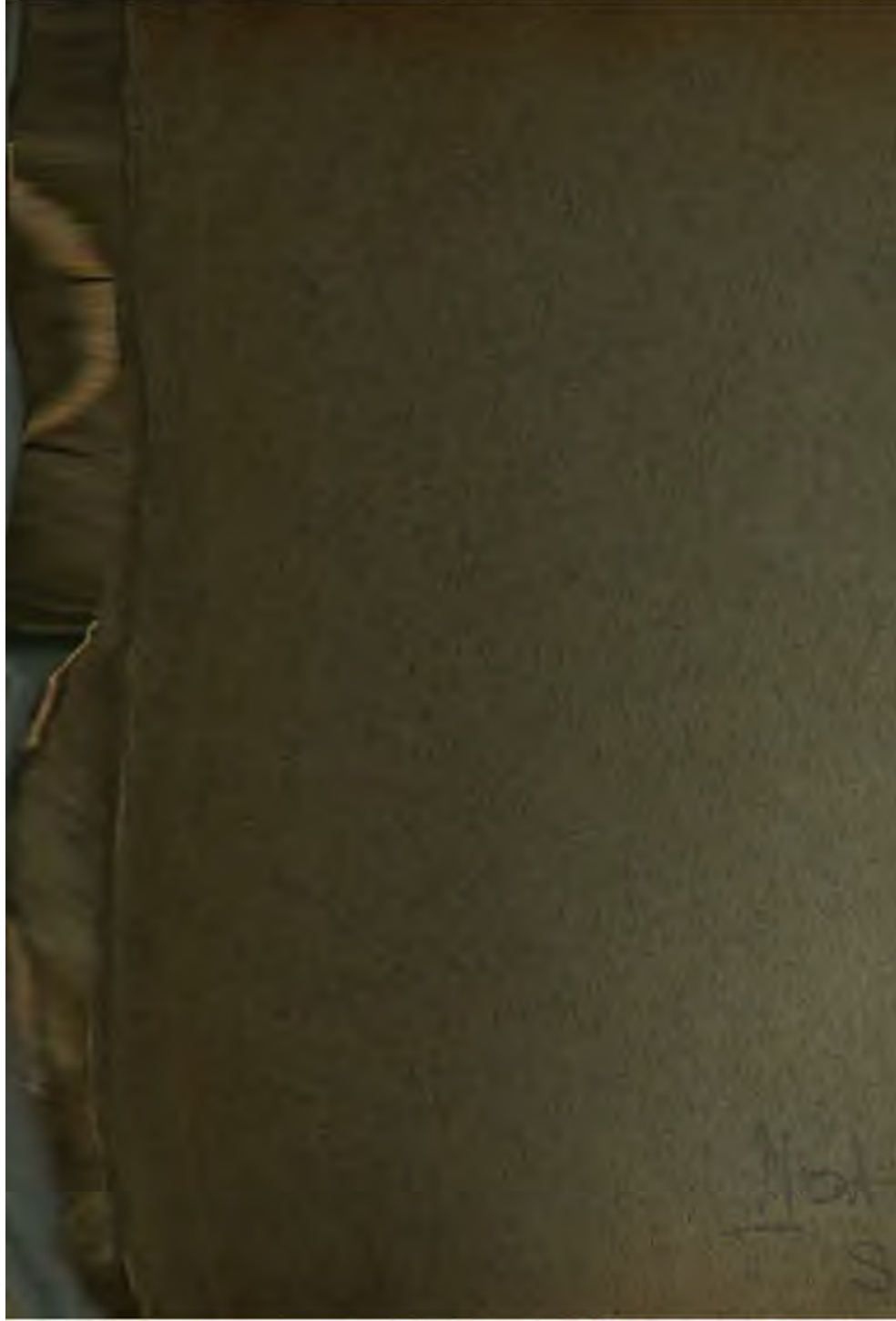
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# PROCEEDINGS

AT THE ANNUAL MEETING OF

## The National Civil Service Reform League

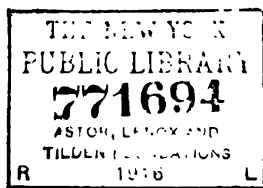
HELD AT

BALTIMORE, MD., DEC. 15 AND 16, 1910

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

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NATIONAL CIVIL SERVICE REFORM LEAGUE  
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# ANNUAL MEETING

## OF THE

### NATIONAL CIVIL SERVICE REFORM LEAGUE.

DECEMBER 15 AND 16, 1910.

**P**URSUANT to call duly issued, the Thirtieth Annual Meeting of the National Civil Service Reform League was held in Baltimore, Maryland, the 15th and 16th of December, 1910. The following delegates from Civil Service Reform Associations and Auxiliaries were in attendance during the several sessions:

**ALLEGHENY COUNTY:** William C. Coffin.

**BUFFALO:** Ansley Wilcox, Frederic Almy.

**CHICAGO AND ILLINOIS:** Robert Catherwood, Herbert E. Fleming.

**CONNECTICUT:** General William A. Aiken, Prof. Henry W. Farnam, Charles G. Morris.

**INDIANA:** Hon William Dudley Foulke, Harry J. Milligan.

**MARYLAND:** DeCourcy W. Thom, William Reynolds, Archibald H. Taylor, Dr. H. O. Reik, Richard H. Gundry, Samuel Theobald, P. H. Tuck, Dr. Henry B. Jacobs, Hon. Charles J. Bonaparte, Hon. W. Cabell Bruce, J. M. Lawford, T. Erskine Carson, Edward Stabler, Jr., John Watson, Jr., Joseph Packard, Ira Remsen, Henry P. Goddard, Julian Le Roy White.

**MARYLAND AUXILIARY:** Mrs. T. Harrison Garrett, Mrs. Horatio Garrett, Mrs. Frank Carey, Mrs. Augusta Weber, Mrs. Charles W. Lord, Mrs. Charles F. Habighurst, Mrs. G. Lane Taneyhill, Mrs. W. S. Hull, Mrs. Winfield Peters, Mrs. Calvin Ferris Troupe, Mrs. Eli Strouse, Mrs. Joseph Wesenfeld, Mrs. John W. Hook, Mrs. Charles J. Bonaparte, Mrs. Albert Sioussat, Mrs. G. Huntington Williams, Mrs. B. F. Corkran, Miss Holt, Mrs. Mortimer, Miss Bond, Mrs. John C. Rose, Mrs. Reiman, Miss Hall, Mrs. Van Sickle, Mrs. Henry Hurd, Miss Eleanor Hurd, Mrs. Haydock and Mrs. William Reid.

**MASSACHUSETTS:** Charles W. Eliot, Richard H. Dana, Arthur H. Brooks, Howard R. Guild, Samuel Y. Nash, William W. Vaughan, James P. Tolman, Hon. John F. Moors.



MASSACHUSETTS AUXILIARY: Mrs. Francis C. Barlow, Miss Mabel Lyman, Miss Marian C. Nichols, Miss E. de C. Heath, Mrs. Richard H. Dana, Mrs. Charles William Eliot.

NEW YORK: Rev. Leander T. Chamberlain, Hon. Winfred T. Denison, Webster C. Estes, A. S. Frissell, William G. Low, Thomas J. Skuse, Nelson S. Spencer, Hon. Robert G. Valentine, Hon. Everett P. Wheeler, Elliot H. Goodwin, Albert de Roode, Charles C. Burlingham, R. R. Bowker.

NEW YORK AUXILIARY: Mrs. W. H. Schieffelin, Mrs. Agathe Schurz, Mrs. St. Clair McKelway, Miss Jean Disbrow, Mrs. Everett P. Wheeler.

PENNSYLVANIA: Cyrus D. Foss, Jr., R. Francis Wood, Mrs. R. Francis Wood, Hon. Clinton Rogers Woodruff, Mrs. Clinton Rogers Woodruff.

WISCONSIN: John A. Butler.

In response to invitations issued by the League to civil service commissions, municipal reform associations and other bodies interested in the reform of the civil service, delegates were present from such organizations as follows:

BALTIMORE MERCHANTS AND MANUFACTURERS ASSOCIATION: Dr. D. H. Carroll, Wm. H. Matthai.

CHICAGO CIVIL SERVICE COMMISSION: Elton Lower.

CLEVELAND CIVIL SERVICE COMMISSION: M. P. Mooney.

IOWA: Professor Charles Noble Gregory.

KANSAS CITY CIVIL SERVICE COMMISSION: James W. S. Peters.

NEW JERSEY CIVIL SERVICE COMMISSION: Willis Fletcher Johnson, James Kerney, Charles H. Bateman, Col. James R. Mullikin, Gardner Colby.

NEW YORK CITY CIVIL SERVICE COMMISSION: F. A. Spencer, Thomas C. Murray.

NEW YORK STATE CIVIL SERVICE COMMISSION: Harold N. Saxton.

UNITED STATES CIVIL SERVICE COMMISSION: John T. Doyle, George R. Wales.

WISCONSIN CIVIL SERVICE COMMISSION: C. E. Buell, F. E. Doty.

## MEETINGS OF THE LEAGUE.

The headquarters of the League during the meeting were at McCoy Hall, Johns Hopkins University. The proceedings at the sessions of the League, commencing on the morning of December 15th, were as follows:

### FIRST SESSION.

McCoy Hall,

Thursday morning, December 15th.

**T**HE League convened at 11.15 a. m., President Eliot presided.

The minutes of the last Annual Meeting having been printed and distributed, their reading was dispensed with.

Mr. Richard Henry Dana, Chairman of the Council, read the report of the Council.<sup>1</sup>

The following reports from Associations and Auxiliaries were then read:

**Mr. William C. Coffin submitted the report from the Allegheny County Civil Service Association:**

As has been previously reported to the league, the Allegheny County Association devotes its energies largely to the enforcement of the civil service law in the city of Pittsburgh.

It has been our purpose to guarantee to the citizens, as well as to the employees of this city, substantial compliance with the terms of the civil service law. Our attitude has been advisory, as well as critical, and in some respects results appear to justify our position. Public sentiment in this city would seem to indicate that civil service has come to stay, and that the system, as established, must be extended as rapidly as possible until it includes every subordinate position. This sentiment, however, is not as militant as it might be, and officials of the city administration are disposed to dodge and evade it at every opportunity.

The following positions have been placed in the exempt class by the civil service commission of this city during the past year, namely, the shade trees commission, consisting of three members, the chief medical inspector, and a stenographer in the city clerk's office. This, in addition to the exemptions which have been previously made, most of them without any protest on the part of this association.

A signal victory for civil service was announced on September 21, 1910, when the civil service commission of Pittsburgh finally decided that twenty-nine health inspectors of the public schools of the city of Pittsburgh should be chosen by competitive examination. The positions pay from \$1,000 to \$2,000 per year, and can be filled only by qualified physicians. The civil service commission appointed Dr. Lawrence Litchfield, professor of clinical medicine at the University of Pittsburgh, Dr. T. J. Moyer, clinical instructor in medicine at the University of Pittsburgh, Dr. J. W. Boyce, professor of physical diagnosis at the University of Pittsburgh, Dr. T. D. Davis and Dr. P. J. Eaton, as the committee of examiners, to conduct the examinations for these positions. One hundred and nineteen physicians took the examination, and of this number only fifty-six were placed on the eligible list. From this eligible list the twenty-nine positions have been filled, and while there has been some protest about the results of the examination on the part of unsuccessful physicians, at the same time they were protests which the examining physicians could easily answer, and did answer.

Great credit for the happy results thus obtained is due to the material assistance of the Allegheny County Medical Society, and the Academy of Medicine of Allegheny County, as well as to the Chamber of Commerce, the Pittsburgh Civic Commission, the Civic Club of Allegheny County, and other kindred associations.

The departments of health and of public works of the city have been very active in endeavoring to evade the provisions of our law in many different ways. For example in the month of November, 1910, twenty-five provisional appointments were made in the department of public health alone. These appointees, however, must all

take a competitive examination before their positions become permanent.

During the past year, under similar circumstances, six provisional appointments were made and only two of the six appointees succeeded in securing a position near enough to the head of the eligible list to secure an appointment to permanent positions.

As a result of the peculiar relation which the association bears to the employees of the city of Pittsburgh (many employees being members of the Association) certain facts came to our notice early in the year, which led to the prosecution of Joseph G. Armstrong, the director of the department of public works for falsification of the pay rolls of the city, at the time of the general elections in November, 1909. Owing to lack of funds, the prosecution was finally conducted by the voters league, several of whose officers are officers of this association. It seems that Mr. Armstrong had instructed the superintendents, who prepared the pay rolls in the various bureaus in his department, that all men who were paid by the day, principally laborers, both skilled and unskilled, should be paid in full for election day, 1909, although no work was done for the city on that day. This was done on the plea that men who work on a salary do not work on election day, but receive full pay notwithstanding, and that if such men, who get much higher salary than the poor laborers are not docked for their absence on election day, then the poor man should receive the same consideration. The whole purpose of this payment was evidently to ingratiate the director with a great number of men who did not care particularly about the legality of the action which was taken. In other words, the director was using the city money to enhance and increase his own personal popularity among several hundred men. The cost to the city was in the neighborhood of \$3,500. The payment was secured by a deliberate falsification of the payrolls, these rolls showing, under oath, that the men had worked on election day, whereas, as a matter of fact, no work had been done. Efforts at concealment of the facts only served to emphasize the criminality of the acts done. This association and other civic bodies have protested to the mayor that a man who would deliberately mulct the city

in any such manner was not a fit person to hold public office, but so far their protestations have been in vain. The mayor seems to take the attitude that the prosecution in question was not directed primarily at the criminal act, but at his administration, and that he will not remove the officer until a jury by a verdict sustained by the higher courts has declared the man guilty.

If this action on the part of the director had gone through uncriticized it would have weakened very materially the operation of the civil service law, for it would have given the director unfair advantage over all the men who had been paid. Dishonesty in high places where someone other than the person who is dishonest is the beneficiary, calls for the strongest criticism, and in no way can be justified.

At No. 480 fourth term, 1909, the court of common pleas No. 4 of Allegheny County decided that a city employee who has been discharged contrary to law, and is afterwards reinstated, is entitled to full salary for the period during which he was unjustly deprived of his position. This case has not been reported, but a copy of the opinion can be secured from the secretary of this Association. The decision is in line with the decisions in the state of New York, but takes a somewhat advanced position.

Pittsburgh has been busy cleaning up during the past year, and civil service questions have, of necessity, been given a minor position in the public mind.

The membership of the Association has decreased, but the officers are hopeful that next year will show a very decided change the other way, as the Association is still actively working.

**Mr. Ansley Wilcox submitted the report from the Buffalo Civil Service Reform Association:**

I did not expect to make a report for the Buffalo Association, because our secretary, Mr. Almy, was here until this morning, when he was called away by serious illness in his family.

In the first place, just a word in regard to the Women's Association in Buffalo, for which I have not been delegated to speak, but I must again record my ap-

preciation of its work in aiding the men. They do not call themselves an "auxiliary," they prefer to stand entirely upon their own merit in name as well as fact, and call themselves the Women's Civil Service Reform Association; but they are working with us, and on educational lines they are doing very good work indeed, particularly in spreading literature through our public schools. They are interesting the teachers, and through them the pupils, and occasionally having lectures and treatises on the subject; and once a year their president, Miss Truscott, gives a medal for the best essay from high school pupils. All this is very good work.

As to the general situation in Buffalo, I have already referred to the fact that one important step has been taken in the past year or so, in the way of extending the merit system to a number of high grade positions, particularly in the office of our corporation counsel. The corporation counsel in office up to January 1st thoroughly approved of this and co-operated with us; but the new corporation counsel, Mr. Hammond, strongly objected, and took the matter into court by a mandamus proceeding, seeking to compel the civil service commission to set apart from the civil service classification four legal positions in its office—they are all legal in a sense, but four positions in the office required by law to be filled by lawyers, including two deputies, a managing clerk and a clerk, all of whom must be lawyers and have passed law examinations. He said it was unnecessary for them to pass any further examinations. In addition he sought to exempt three other positions in the office as being confidential—seven or eight in all. His application for a mandamus was opposed by the City Civil Service Commission and by our association. The burden of the fight was upon the city commission, who got a good lawyer, a friend of good government, Mr. Adelbert Moot, to take up the cudgels for them. He rendered very great service, and it is doubtful whether he will ever get any pay for it. He was successful. I represented our association nominally, and went into court with him and assisted somewhat in the oral arguments, but he did the work and should have the credit.

The matter came before Judge Brown, a very good

judge, who denied Hammond's application and sustained the position of the city civil service commission. He delivered a very important opinion, and clearly held that these positions should be left in the competitive class, because there was substantial evidence to show that they could properly be filled by competition, and the city commission had found this to be the fact, although he said that he, Judge Brown, personally did not think so; he disagreed with this conclusion, and if he had been a member of the city commission, would have opposed it. But as a judge he held that it was fairly open to question whether the positions could not be properly filled by competition as the commission had decided, and that it was not in the power of any court to overrule the commission in such a case. This assertion of the power of the commission in cases of this kind, renders this a very important decision, and especially good as coming from a man who did not agree with the conclusion reached. The question was then taken to the Appellate Division of the Supreme Court, and they dismissed the proceeding, because Mr. Hammond, the corporation counsel, had not joined the state civil service commission in the mandamus proceedings, but had simply brought the proceeding against the city commission, which would not have power to revise the classification without the co-operation of the state commission; but the Appellate Division in their opinion said that they agreed with Judge Brown on the merits of the case, which was very satisfactory. The case was then taken to the Court of Appeals where it was dismissed on the ground of the defect of parties. The Court of Appeals did not pass upon the merits in any way, though they were asked to do so.

This was an important achievement. I should like to repeat here what I have said before that in this matter of the classification of legal positions, we were assisted by the action previously taken by the attorney general of the state, Mr. O'Malley, and also by the two state public service commissions in placing a number of high legal positions in the competitive class. We may presently have a further chance to test the question out, because it is understood that the new attorney general of the state, after January 1st, is going to protest against the classi-

fication of his office, and ask to have it reconsidered. If so, it will be time then for our new governor to prove his sincerity as an avowed friend of civil service reform, and the re-organized state commission will have a chance to co-operate.

Our state commission recently has had two Republicans and one Democratic member. One of these Republicans will probably go out, and one Democrat take his place, making a Democratic majority. There will be quite an important series of events following from this change, not only in connection with the Attorney General's office, but in civil service matters in general. I am hoping strongly that Governor Dix will stand fast for the merit system; that he will not weaken the state commission, although he may change its membership, and that he will be able to withstand the hoard of Democratic office seekers who are now urging that the bars be let down.

Let me add a few words in regard to the condition of our Buffalo city civil service commission. We are going through the throes of a re-birth in civil service reform, or perhaps it would be more accurate to say that we are trying to throw off the old shell which has been restraining our growth, so that we can grow faster in strength and power. In Buffalo we started our civil service work nearly 30 years ago with a large volunteer commission of fifteen members, who had to do the work of commissioners and clerks and all the work there was. This of course was a bad system, but it was the only system we could adopt to begin with, and we did the best we could with it. We had no appropriation from the city for expenses at the outset, and then after a few years, got a very small one, and finally have got up to about \$5,000, which enables our commission to rent some rooms and pay for the services of a secretary and one stenographer and occasional special examiners; but we need at least \$15,000 or \$20,000 for expenses to enable the work to be done properly. The commissioners have never been paid; they have conducted their own examinations and have largely done their own work which has required them to work evenings and Sundays and holidays in marking examination papers. The number of commissioners was



cut down from fifteen to seven a few years ago. We have repeatedly asked that the number be reduced further to five or to three, and that the commissioners be given some compensation for their work, as well as a more adequate office force, but no attention has been paid to these suggestions until recently.

All the same, the classifications in Buffalo are admirable; the examinations conducted by this method have been highly successful, but a lot of technical work in the office has been very badly done.

The state commission has recently issued a report exposing some of the bad conditions which have resulted from this defective system, and demanding that they be changed. The mayor has expressed himself as in favor of these changes in the main, and sentiment is tending that way. I think it will mean a re-construction of the city commission, cutting it down to five or probably three members, and ultimately paying the commissioners at least something for their work; and the creation of a permanent chief examiner, with suitable provision for occasional assistants, as well as other additions to the office force.

All this now seems to be coming in the near future, and we shall then have, I think, a better working system which will enable Buffalo to maintain its proud position as the Banner City of Civil Service Reform.

**Mr. Herbert E. Fleming submitted the report from the Chicago and Illinois Civil Service Reform Associations:**

In making our report, I wish to submit to you, briefly, the story of one only of the various activities of our Associations—the one which may be of the most interest to you. It is a story which will, perhaps, fill out the picture suggested by the Chairman of the Council in his report in the general statement about the successful issue of each popular referendum on civil service questions.

Last November the people of Illinois, by a vote of 411,000 to 121,000, advised the next General Assembly to enact comprehensive civil service legislation. Securing this over-whelming majority, pledging candidates for the State Legislature and obtaining unequivocal declara-

tions in both party platforms for such legislation has been the chief work of our two organizations, the Illinois and Chicago Civil Service Reform Associations during the year. The problem of the campaign was to render interesting, to popularize the demand for merit system extension.

Conditions in Illinois cry for civil service reform as one of the essential means for restoring representative government. Last May we were shocked by the confessions of legislators, showing that the "jackpot" had become a legislative institution. These revelations showed not only that "tainted money" but also the control of jobs in Cook County, in the State service and in the Federal service, were main factors in the control of legislation. The sordid character of the spoils system, laid bare by these revelations, gave the people of the State a terrific shock.

One cause for past failure of biennial attempts for comprehensive civil service legislation was the prevailing libel that this demand emanated from an esoteric group of gentlemen who met together occasionally in their clubs at luncheons and dinners and passed harmless resolutions. The policy of publicity was adopted, and throughout the campaign the secretary of the associations submitted to the press of the State advance copies of civil service speeches and little stories of the spoils system. Thus the newspapers were constantly supplied with material for their news columns—the principal forum of discussion in our American democracy. Editorials favoring merit system extension followed as of course.

On June 27th and 28th citizens from all parts of the State met in open conference at Peoria to consider "the breakdown of representative government in Illinois." Mr. Charles L. Capen, of Bloomington, President of our Illinois Association, was chosen chairman of this Peoria Conference. Among other complaints against the Legislators registered by the assembled citizens was that of the Civil Service Reformers for failure to extend the merit system. Mr. Robert Catherwood, President of our Chicago Association, cited the confessions of legislators to show the existing connection between the spoils sys-

tem and the "jackpot." He pointed out that the two great strongholds of the spoils system as it survives in the State are, first, some thirty departments of the state government, and, second, two thousand "jobs" under the government of Cook County—Chicago's county. The Secretary of our Associations introduced a resolution recommending that the Conference declare comprehensive and adequate civil service legislation fundamental to the regeneration of the public life of the State.

The majority of the members of the Conference were looking to the initiative and referendum as the panacea of political ills. The resolutions committee, however, after considering seventy-six proposals for good government, recommended three. These were, first, the initiative and referendum; second, a corrupt practices act, and, third, comprehensive civil service legislation. These resolutions were unanimously adopted. Thus the demand for civil service legislation was linked with the progressive movement—the movement for good government.

The Conference appointed a Committee of Seven to lead in a state-wide campaign for these three propositions. Our Associations co-operated with this committee as to the civil service proposition. After careful deliberations it was decided to have the civil service question submitted to the voters of the State. The petitions to the end were circulated and over 133,000 signatures were secured, 23,000 in excess of the number required by law.

In passing I should say that some of the work of circulating the petitions was done by and under the direction of Mrs. A. W. Bryant, Chairman of the Civil Service Committee of the Illinois Federation of Womens' Clubs. These Clubs, in our state, have civil service committees and it was, in part, through them that the Massachusetts Woman's Auxiliary had a successful part in our Illinois campaign, as has been told to you this morning. I should also say that good work was also done in circulating petitions by a woman who became a member of our Chicago Association and who is not only a Bachelor of Science but also the wife of a police sergeant. She was moved to her zealous endeavors by having seen the

benefits of the merit system in her own home experiences.

The political campaign consisted of two stages, the first ending with the direct primary of Sept. 15, the second with the election Nov. 8. It was a struggle over the election of members of the State Legislature and over the great elective offices of Cook County. In the State campaign was involved the decision on the civil service question of public policy.

Our problem was to make the public see that civil service reform is essential to good government. It meant bringing home to the present generation in Illinois the worth of the historic cause of civil service reform. In the language of a newspaper editorial, it involved sending the spoils system, like a goat, nightly into the wilderness loaded with our sins.

We had to educate the public and to impress the politician.

Civil service speakers were provided for good government meetings in all sections of the State. Automobiles carrying speakers and literature visited country towns from the Wisconsin to the Kentucky border.

Statements based on investigations showing typical abuses under the spoils system were sent to the entire press of the State. The human-interest element in our true stories of the hardships and injustice suffered by employee victims of this system stirred public sympathy.

Forms of pledges committing their signers to work and vote for the enactment of comprehensive and adequate civil service laws for the State and for Cook County were sent to all candidates for the legislature. In the primaries there were 725 such candidates. About 60 per cent of them signed. Many candidates for the Cook County offices like that of treasurer signed a form drawn by the Chicago Association, pledging themselves, if elected, to cost-figure their offices and install a "home-made" merit civil service pending the enactment of appropriate legislation. Reports on the stands taken by all these candidates were issued by the Associations and published extensively in the daily press of the State.

Many signers of the pledges, as well as many who refused to sign, were eliminated at the primary election.

But the net result is that in the next General Assembly of Illinois over 50 per cent. of the house and a majority of the newly elected senators will be signers of our pledge. In addition to that pledge, 23 out of the 26 newly elected senators and 111 out of 153 members of the new house are bound by pledges to abide by the popular vote on the little-ballot question.

This agitation was recognized in the party conventions, and both parties declared in favor of comprehensive State and Cook County civil service laws.

But after all, the greatest result of the campaign was the state-wide vote on the little ballot. The proposition for comprehensive civil service legislation carried every county in the State except one, and that one is in a legislative district comprising five counties which returned a majority of 3,420. The proposition carried Cook County by a majority of 110,786. It carried the down-state counties by a majority of 179,758. It carried the State by a majority of 290,544.

**Mr. Charles G. Morris submitted the report from the Connecticut Civil Service Reform Association:**

Bringing a statement of the things which we hope to see established, to a convention of civil service reformers is like bringing coals to Newcastle. We are all worshippers of the god of better things, variable in form but constant in purpose. In fact, I have sometimes thought that the civil service reformer's coat of arms should be a "Billiken rampant over silk hats couchant, gules."

Our Connecticut Association has wide boundaries and restricted activities. Except during legislative sessions the New Haven civil service situation has been the only bone for our contentions and for nearly a year we have had an honest mayor and civil service board to soothe our minds. The local Camp of Spanish War Veterans has also put itself on record as opposed to veteran preferences. The city of Norwich has just approved a new charter containing provisions for the adoption of the merit system and will apply to the legislature for authority to put it into effect. The rest of the state is a region of hope and promise, but we are not quite sure

of the proper translation of the language of the promise. It may be like the song of the lone blue-bird on a mild late winter day who promises either an early spring or, as our forbears called it, "a spell of weather," and it is a pure guess which is promised. Our new governor, however, was a charter member of the old New Haven Civil Service Reform Association organized December 9, 1881, was one of the committee on its constitution and was active in its work at the time when it gave the Pendleton bill such help as it could. He is rather a lone blue-bird, though, for he is a Democrat and the legislature is Republican in both branches. We know how well he can sing, but we don't know how hard we may have to blow on our fingers to warm them before the legislative session has translated the promise.

**Mr. Harry J. Milligan submitted the report from the Indiana Civil Service Reform Association:**

I do not know that it is worth while for me to come forward to say that Indiana has no comprehensive civil service law. I will not say there are wise men in Indiana now; certain it is, however, sixty years ago there were, because the constitution of Indiana framed then provides that the legislature shall meet only once in two years, and that it shall remain in session only sixty days. We esteem that a very wise constitutional provision. They do things differently in New York; there is something doing in Albany twelve months in every year, I think to the sorrow of New York. It is difficult to get laws passed in Indiana and that is the object, doubtless, of those wise men who made our constitution. The Indiana legislature assembles during the next thirty days. Mr. Swift and I went to see the Governor last week and had a talk with him on the subject of his advocating some civil service law. He expressed himself as in hearty accord with "the merit system;" he did not say, and I do not think he had considered the subject enough to say, what he would do. We have been thinking since what we would ask him to do; for certain reasons, the details of which we have not time to discuss now, and probably they would not interest you, we hesitate to ask him to advocate a law to apply to the state institutions; we do

feel very keenly that a law is needed applying to counties, but there are many difficulties encountered in framing county laws, some of them of a technical character. I will not stop to discuss them. We shall certainly ask him to advocate a law applicable to cities of a certain class.

I am glad of the opportunity to say that we feel very much encouraged, indeed very much surprised in Indiana that any president of the United States in the year 1910 should take such an advanced position as President Taft has taken. We have talked of it as something that would occur in the future, possibly in the millenium of civil service, when the postmaster of Indianapolis, for instance, would be chosen as a reward for faithful service, from the postmasters of the state or from the men in the postoffice in Indianapolis. The last postmaster but one in Indianapolis, the predecessor of the present one, is a personal friend of mine, a most excellent man, highly successful in business; he drew from the government \$6,000 a year as postmaster, and I think he admitted that he gave little time to the postoffice, that he dropped in on the way down to his other business and probably stopped half an hour at the postoffice. He was paid \$6,000 by the Government for services rendered to Senator So-and-So, it has always been so and always will be so under the present system, and the same is true of the collectors. They are paid by the United States for services rendered to a party chieftain. If we can have the postmasters and the collectors and possibly some subordinates under the district attorney, put in the classified service, selected for their qualifications and kept in office upon their merits, we have immensely improved the public service and I think the solution of the civil service problem as applied to cities and counties will come through such advances by the United States Government. We need a civil service law in Indiana applicable to the larger cities and counties. Whether we shall get it soon, no one knows.

**Mr. William Reynolds submitted the report from the Maryland Civil Service Reform Association:**

The reason why scarcely anything I have to report this morning will be found among the records kept by the secretary of our Association is that under existing

circumstances our members found they could accomplish more as individuals than in their capacity as representatives of the Association, being somewhat in the position of the famous Arch bishop of Mainz in the middle ages, who, when reproached by his father confessor for his habit of profane swearing as most inconsistent with the position of a high ecclesiastical dignitary, replied that he also held the secular position of Elector of the Holy Roman Empire and that all his swearing was done in his electoral and not in his arch-episcopal character; but the confessor remarked that he was the man who did the swearing and would therefore be held responsible, no matter in what capacity he indulged in it. Now that is what I have to say in regard to the members of our Association.

Our endeavor during the last twenty-five years has been to get a civil service law applicable to the whole state passed by our legislature, and we have time and again carefully prepared bills for that purpose and introduced them at successive sessions of the legislature but have never succeeded in even getting them passed by a single house. Their only effect, therefore, has been educational, and the educational advantages, I am sorry to say, have been confined possibly to the gentlemen upon whom was imposed the labor of drawing the bills, to the very few people who took the trouble to read and try to understand them and to such members of the legislative committees which granted us hearing as could with difficulty be corralled into their own committee rooms to listen to our representatives. Some time ago we came to the conclusion that the only chance of getting a state civil service law for Maryland during the present generation would be for us to first get a local law for the city of Baltimore, which comprises nearly half the population of the state and which holds four-sevenths of its assessable property. We thought this might be practicable for the reason that during the past ten years we have been able to introduce the merit system in the city to some extent. It is already established in the public schools and in the police and fire departments, and we know that the mayor and several of the heads of departments of the city government are desirous to have it apply to



their subordinates. Something over a year ago the city council authorized the mayor to appoint a committee to revise our city charter, and he selected nine gentlemen whose experience and judgment he considered such that they could best prepare the amendments needed by the city, and whose standing in the community was such that any recommendations they might make would be apt to have great weight with our people. On the appointment of that committee, it was not a surprising coincidence that out of the nine chosen, six were members of our Association; nor was it any more remarkable that when the commission met it was found that the one thing about which they were unanimous was the introduction of the merit system of appointment to all city offices, so far as it would be practicable and that they appointed as a committee of one to prepare a bill for that purpose, to be included in their report, the Honorable William Cabell Bruce, one of our vice-presidents. Under these circumstances our Association considered that its wisest course would be to let that commission alone and allow it to do its own work in its own way and not put in our oar until we were asked. Mr. Bruce, in preparing his bill, had before him the civil service laws which had been enacted in several of the states and those local laws which had been most successful in various cities of the country, and he also had the advice and assistance of Mr. Goodwin, the secretary and Mr. de Roode, the assistant secretary of the League, as well as of Mr. Doyle, the secretary of the United States Civil Service Commission; and having drafted his bill he submitted it to several members of the executive committee of our Association for criticisms who before returning their criticisms consulted with other members of the Association, so that the provisions of his bill as recommended by the commission met the approval of our Association and received its active support so far as it could be given, and our formal endorsement. It went down to the legislature as a part of the commission's report, which was by no means entirely on the subject of the merit system, but covered a great deal more; it was a pamphlet containing 188 pages of printed matter, of which the civil service law only covered 15. The extent of this report afforded

a plausible excuse to those members of the legislature who are extremely conservative in regard to introducing any reforms that would reduce the political patronage in the public service, for saying that they had not the time to give the matter due attention during that session of the legislature, which only lasted ninety days, the greater part of which had already expired, and that they therefore were in favor of putting it off upon the next legislature, but the commission very promptly replied that this was a city matter which had been carefully prepared by a commission appointed by the city authorities and selected for that purpose; that they had given months of thought and preparation to it, and that it was proper that the legislature should pass it subject to the approval of a vote of the city. But notwithstanding this the legislature finally resolved to treat it as the Roman governor Felix treated Saint Paul's reasoning on the subject of temperance, righteousness and judgment to come—they trembled and postponed it until a more convenient season.

Now a remarkable thing about this is how it shows the change has taken place in the sentiment of our people in regard to the subject of the merit system since it was first introduced. When our society was formed some twenty-five years ago or more, most people regarded civil service reform as an iridescent, Chinese idealism, not worth the careful consideration of any practical man, and something which no man who had any political aspirations would dare to say a good word for in public; but when this question of submitting the proposed new charter to the people came up the members of the commission stood as a unit in the belief that the introduction of the feature of the merit system was the one thing which would be more influential than anything else in insuring it a triumphant endorsement at the polls. The position of our people on that subject may be illustrated by a story told about the English jurist, Lord Lyndhurst, who, in his latter days, had formed the habit of unconsciously speaking aloud the thoughts that occurred to his mind during the progress of the arguments made before him. On one occasion when counsel was discussing a somewhat novel proposition, after talking about

five minutes, the courtroom was electrified by the remark from the bench, "That man's talking like a blank fool!" The counsel, however, being well aware of his lordship's peculiarities, paid no attention to the interruption, but proceeded imperturbably with his argument, making out a pretty good case, and presently there came from his lordship the remark, "The man's not such a fool as I thought." And as the argument still advanced his lordship further said, "Well, it's beginning to look to me as if it is the Court who was a blank fool," and finally we wound up by giving a decision in favor of that counsel. So also I think that when a fair opportunity to express themselves shall be afforded, there is good reason to hope the people of Maryland will give their decision in favor of the merit system and civil service reform.

**Mr. Arthur H. Brooks submitted the report from the Massachusetts Civil Service Association:**

In making a brief report for the association in Massachusetts I want to say that the conditions there are infinitely better than they have been at any time in the last seven or eight years since I have known anything about it. Nearly all of the state service and the city service and the service in the county towns is now classified. The big open field left is that of the counties, and that is where we have been working for the last few years.

In the few moments I have it will be impossible for me to say much about the legislative work. It has been of the same general nature as before. We have attended about 25 legislative hearings during the last year, and, while we still have the same sort of pernicious bills offered there, the attacks upon the merit system are much less aggressive and more easily overcome, so that the association now has more time to devote to the extension of the law to the counties and the perfecting of the law than it has had in any years recently.

The particular matter which has interested our Association the last year is an experiment tried in Boston for the first time anywhere, so far as I know. Boston affairs a few years ago were found to be in bad shape, and the mayor voluntarily appointed a commission to

investigate. That commission, after it ended its investigation, made a report to the legislature recommending a new charter for the city of Boston. Our Association appeared before those gentlemen when they were considering the provisions of that new charter and advocated a straight civil service test for the heads of departments in the city of Boston, a rigorous competitive test, not a high school examination, not an examination consisting of written questions and answers, but an examination into the education, training and experience of the candidates. This Finance Commission, as it was called, felt that what we proposed the public was not prepared to accept—that is to say that we went too far. But the committee did place, in its new charter, provisions which made it necessary in order for the mayor to appoint any heads of departments, to get the approval, the written approval, of the civil service commissioners, and the act also provided, in a general way, as to what those civil service commissioners should do in determining the fitness of the mayor's appointees. The requirements were that the appointees, who were to be heads of departments, should be experts in their professions, or qualified by training, education or experience for the position. As the act was originally drawn it read "qualified by training, education *and* experience," but one of the politicians in the legislature at the last moment got the word "and" changed to "or," so that its meaning was virtually changed.

I find that in the city of Boston there are about 130 heads of departments, of which 34 are paid heads; the other heads give their services to the city for nothing. During the last year the mayor appointed 63 heads of departments; of these, 36 were to paid positions and 27 were to unpaid positions, and of the 36 to paid positions the commission approved 22 and failed to approve 14; of appointments to unpaid positions the commission approved 23 and failed to approve 4. There was no reappointment of a man, whose term had expired, which was not approved by the commission, not a single case, and that is a very striking fact to my mind. Why was it that no man who was reappointed failed to receive the approval of the commission while a large number of those who were new appointees were thrown down? The

reason appears to be simply this: The commission felt that under the phraseology of the act, if a man had had experience for some time in the position to which he was reappointed and had held down his job, it could not say that he was not qualified, by *experience* and they therefore felt compelled to approve the appointment, even if the candidate had had no training or education except such as his experience had given him. Our Association has favored a straight civil service law applicable to these positions rather than this kind of a veto power, if I may call it that, which is given to the commission by the new charter. It is only fair to state, however, that the city of Boston has greatly benefited by the existing provision. Many appointments which should never have been made by the mayor, were left unapproved by the commission. In the legislature next year, we are anticipating a great deal of trouble over the Boston charter. There will unquestionably be a large number of amendments offered, and it will be necessary for our association to take some definite stand regarding the whole matter—that is to say, it must decide what it will advocate and what it will not, with reference to amendments.

I want to say this about the counties: We have had in Massachusetts this year somewhat of an upheaval—the state election has resulted in a Democratic governor and a very strong Democratic minority in the legislature. The Democratic platform favored the classification of county positions, and last year in the legislature, the chairman of the Democratic state committee appeared with a bill favoring the classification of county positions. I have seen Governor-elect Foss within a few days, and asked him what he proposed to do regarding this Democratic plank and regarding counties, and he said, "I am in favor of civil service reform." I replied, "Of course you are, but is that all you are going to say in your message?" He slapped me on the knee and smiled, and I can't interpret that very satisfactorily. (Laughter.) He did, however, say that he wished I would send him within a week or so what the Association in Massachusetts felt he ought to recommend, and we propose to do so.

Certain facts, which we have discovered, will help us in this fight with the county rings. Some places in Mid-

dlesex county were investigated, particularly Lowell and particularly the jail there, and these few facts, among others, were discovered: The jailkeeper, who lives in the wing of the jail, had recently put in a bathroom, at an expense of \$1,000. We also found he was keeping pigs and chickens at the county's expense, and making of them very acceptable gifts to friends at frequent intervals. We also found that the prisoners in the jail were not infrequently given keys to the outer gates in order to do errands for the jailkeeper. These facts are perhaps more humorous than serious, but we feel that they will have an effect in the hearings before the legislature. There is now pending before the Grand Jury of Middlesex county an investigation of Middlesex county matters. This came to pass from the fact that the district attorney of that county had a hot campaign for re-election last fall, with a man who made charges concerning these matters, the information regarding which he had gotten from the same source that we obtained it. The charges made by his opponent were of such a serious nature that he was invited to appear and produce his evidence before the Grand Jury for the county. The district attorney agreed that he would turn the case over to some other district attorney and give his opponent an ample opportunity to present his evidence and, perhaps, get some indictments.

**Mrs. Albert Sioussat submitted the report from the Women's Auxiliary to the Maryland Civil Service Reform Association:**

The Woman's Auxiliary to the Maryland Civil Service Reform Association begs to submit the following report: Consisting of 200 members, it has pursued its work along lines of co-operation with the Maryland Reform Association and with other societies having for their aim the betterment of civic conditions.

They have desired especially to avoid the duplication of work in Maryland and the loss of force resulting therefrom early in the past year, they accepted the request from Dr. Hall Pleasants of the official staff at Bay View hospital, Baltimore's largest alm house, to form a committee to investigate conditions, and if possible, to aid on the formation of public opinion, by which larger appro-

priations could be procured, and the work carried on under more systematic conditions. A beginning was made, by giving occupation to the woman inmates. The interest developed, warranted the engagement of a paid trained teacher, who has during the past summer, given her entire time to the work.

In July part of the Auxiliary was applied to by the chairman of the state lunacy commission to co-operate with their board, and during the past month a member of the Auxiliary Board has been appointed a member of the joint committee of lunacy of the state of Maryland.

Efforts are also being made to obtain information as to the conduct of the different institutions under state control by the aid and co-operation of the state federation of women's clubs whose influence as a state wide organization furnishes avenues for the dissemination of information and the formation of public opinion.

The Auxiliary has also been substantially interested in the support and training of a young Pole in civic affairs, in order that he might carry to his people the proper conception of American citizenship. The experiment has proved most satisfactory. He has done both field and class work and after a year of special training, has taken up work as an assistant to a regular charity organization agent among the Poles. This has been the more desirable since the Poles form a very intelligent class among the foreign element in our community. The establishment of a Polish coffee house forms a centre where civil engineers, doctors and lawyers among them meet the working classes and are developing in their own people the power to assume their own civic responsibilities.

An endorsement was, by a special commission last spring, forwarded to the committee appointed to revise the city charter, expressing to the gentlemen composing that honorable body, the earnest hope of the Auxiliary that ample provision may be made for an application for the merit system as far reaching as possible under existing circumstances in the revised charter of the city of Baltimore.

At a recent session of the Maryland legislature, at the request of Mr. Robert Garrett, representing the com-

mittee in charge of the work of investigation of the child-labor-laws of the state, a special fund was contributed by the Auxiliary and a joint committee appointed for the furtherance of the work, and its acceptance in Annapolis.

In construction work the Auxiliary has bent such efforts as were within their rights to endow the Dillingham bill before the senate for the protection of alien women in our incoming and outgoing steamers.

From the state of Wisconsin, we acknowledge with satisfaction the request from their National League for copies in quantity of the pamphlet entitled "The Merit System and the Public Schools," by Dr. H. O. Reik of Baltimore, published by the Auxiliary.

Public meetings have been held during the season past, and the work will be continued this winter to audiences of boys—clubs and men guilds—in their regular public lecture course.

It has also approached the school board to arrange for the delivery of lectures in the boys high school on matters of civic interest.

It has given us pleasure to forward our contribution of \$100 to the National Civil Service Reform League. No report from our organization would be complete without the most sincere acknowledgments to Hon. Charles J. Bonaparte for the very kind assistance which at all times and seasons he has been ever ready to supply to the Woman's Auxiliary of the Maryland Civil Service Reform Association.

**Miss Marian C. Nichols submitted the report from the Women's Auxiliary to the Massachusetts Civil Service Association:**

The Massachusetts Auxiliary takes pleasure in reporting a year of continued activity and progress. As in previous years our efforts have been directed to educating public opinion in regard to the merit system and in working for the protection and improvement of the civil service law of Massachusetts. In both our educational and legislative work we have been greatly aided by our nine branches. They have held meetings, furnished speakers for other organizations, conducted study classes, usually for members but in one case for boys, arranged for competitions for our school medal and helped in legislative matters.



Our legislative work was concentrated on three important bills. The first was our old friend, or rather enemy, the Spanish War Veterans' Preference bill which last year took a specially pernicious form in proposing to give a bonus not only to veterans of the Spanish War but also to members of the army and militia who had served for a given number of years. As the hearing came at too short notice for us to prepare a large petition, we handed in the names of 1000 or more men who signed our protests in 1907 and 1908 and recalled that in 1908 our petition was signed by 5060 remonstrants representing 130 cities and towns. We also arranged for four Spanish War veterans to appear in opposition to the bill. Though the room was crowded with remonstrants, only the petitioner appeared in support of the measure. The committee reported the following day against the bill and the report was accepted at once by the House and the Senate. Only once before has this measure received such a prompt and decisive defeat.

The other two measures in which we were interested were a bill to increase the salaries of the Massachusetts civil service commission and the recommendation of the finance commission for extending the civil service law to the collecting, treasury and penal institutions departments of the city of Boston. Mr. R. H. Dana kindly wrote an editorial on this latter bill which was published in the Transcript. We sent letters extensively about the state asking support for both these measures and arranged for a small conference of men and women to plan work in their favor. Mr. Elmer L. Curtiss of the civil service commission spoke at a meeting of our state council on the great need of larger salaries in order that the commissioners might give more of their time to the work. At our suggestion a meeting of the Boston City Club was devoted to the consideration of these two bills, with Prof. W. B. Munro, Mr. W. W. Vaughan and Mr. A. H. Brooks as speakers. Somewhat larger salaries were granted the commissioners, but the bill for the extension of the civil service law in Boston was unfortunately defeated owing to a temporary antagonism to the civil service commission. We hope another year for greater success in removing the stigma of the spoils system from these departments.

During the past year we have sent out 53,590 pamphlets, thus making a total distribution of 425,000 since our formation ten years ago. Requests for material have come to us from all over the country and for a variety of purposes. We have received applications from clubwomen in 19 states for material to distribute at federation or club meetings or for help in the preparation of club papers, from the International Committee of the Young Men's Christian Association for literature to send to 100 educational secretaries in North America, and from settlements, libraries and other organizations. But as usual the largest proportion of the pamphlets have been used in the school work.

Since our last report to the League requests for pamphlets have been received from 601 schools. The pamphlets are used by schools in every state and territory. They have been placed in over 2000 high schools, normal schools and colleges or, in other words, in one out of five of our institutions for higher education, and have likewise been accepted by several thousand grammar schools.

The pamphlet offered to grammar schools is Miss Cary's "Primer of the Civil Service and the Merit System." One teacher writes of this booklet: "The clearness and simplicity of the language, the carefully selected subject matter, the abundance of familiar illustrations, and above all, the constant appeal to the pupils' sense of justice and fairness, all render it a most valuable aid in teaching the subject." She likewise says of the systematic study of the merit system: "The teachers do not consider this an additional burden to be dreaded or avoided, but rather do they believe it to be a privilege to have this phase of civic well-being presented to the grammar school pupils."

Similar testimony as to the value of the pamphlets and the willingness of the teachers to give us their co-operation comes from high schools and colleges. Though the pamphlets are sent free on condition that they shall be made the subject of at least one lesson, we learn that several recitations are often given to their consideration, and that sometimes each pupil is required to write an essay on the subject or the material is brought before the school

debating society. A novel use of the pamphlets was made last month in Illinois when one teacher who had successfully used our literature for the past eight years encouraged her students to vote by proxy on the recent referendum as to the extension of the civil service law. The boys and girls were given pamphlets to distribute to voters and later recorded in their permanent notebooks "How I helped to extend the Merit System in Illinois and Cook County on November 8th, 1910."

Competitions for the school medal were held in Brookline, Cambridge, Framingham, Newton, Springfield and Worcester. Seven medals were awarded to grammar school children and five in high school competitions. The total number of medals given for the best essay on some subject connected with civil service reform has now reached 71.

We shall publish shortly a new pamphlet adapted for school use called "Civil Service Tests" by Mr. Frank Foxcroft of the Massachusetts civil service commission and reprinted by permission from "The Youth's Companion." It is to be issued in form similar to the Primer and has a few illustrations which will add to its attractiveness. Another new publication is a discussion by Mr. Augustine L. Rafter, assistant superintendent of schools, on "The Merit System of Rating and Re-rating Teachers in the City of Boston," an article written at our suggestion and published in "Educational Review."

Our civil service reform exhibit was conspicuously placed at the convention of the National Education Association held in Boston last July. Some of the material is now being made into lantern slides. We are to have 75 or 100 slides, largely pictorial, and illustrating the meaning and character of examinations, the need for the competitive system and the history of the reform movement. We are fortunate in having obtained permission to reproduce the admirable series of cartoons that have appeared in "Harper's Weekly." We are also greatly enlarging our reference library, and adding to its usefulness by a card catalogue arranged according to subject as well as according to author and title. Thus we are preparing to carry on with renewed vigor our educational campaign on behalf of the "fundamental reform."

**Miss Jean Disbrow submitted the report from the Women's Auxiliary to the New York Civil Service Reform Association:**

It is our pleasure to report again to the League concerning our work of the past year. This work is largely educational; we receive requests for civil service reform literature from public schools, military schools, preparatory and coeducational schools, as also from libraries, clubs, and civil service commissions. In answer to these requests, the Auxiliary has distributed during the past year twenty-three thousand, four hundred and seventy-one pamphlets.

An essay competition has been conducted and brought to a successful close in public school No. 6, New York. The topic there was "The Merit System and Its Practical Application." The average age of the contestants was fourteen years, and a silver medal has been awarded to Beatrice Carno, and a bronze medal to Sophia Goldstein, for creditable essays. In the Washington Irving high school, where the average age of the writers was sixteen years, gold, silver and bronze medals were given to Esther Schander, Rose Luria, and Mabel Blum respectively for excellent essays on the subject of "The Application of the Merit System to Higher Municipal Offices." The essay contest conducted by "The Chief" on the subject of "The Best Shall Serve the State" was ended last spring and the prizes were awarded at a dinner given to the successful competitors by the editorial staff of "The Chief." The gold medal was presented to Mr. James S. Byrne, the silver medal to Mr. W. I. Stengle, and the bronze medal to Mr. George M. White.

We are offering medals as prizes for an essay competition that has been opened to the public schools of Madison, Wisconsin. It is through the efforts of Mr. F. E. Doty that this contest is being conducted under the auspices of the Wisconsin civil service commission and the university extension division of the University of Wisconsin. The topic submitted to the contestants is, "Should selection and appointment of our county and city employees be made according to merit and fitness, to be determined so far as practicable, by competitive examination?" One lecture has been given under the auspices of the Auxiliary and that at Miss Townsend's School, in Newark, New Jersey.

Several newspapers have recognized the work of the Auxiliary either by reprinting excerpts from our annual report, or by publishing articles describing the personnel and purposes of the Auxiliary, and one New York paper has published an article submitted by us on the status of the civil service law in New York state.

Two appeals, one last spring and one this autumn, have been sent to club women of New York state urging them to investigate the civil service laws in their local application. The response from New York has been infrequent. A similar appeal to the club women of New Jersey urging them to work for the extension of the application of the civil service law in their state has had more hopeful results, and though they may not directly urge legislative action, yet their agitation of the question will, it is hoped, help to affect legislative action for the extension of the law in the state of New Jersey.

We were requested to undertake an investigation of the suitability of the appointment of interpreters to the courts in New York. It was thought advisable not to continue our investigations as the method of appointment (in accordance with the civil service law) is unquestionable, and the question of the adequacy of the number of interpreters appointed is outside of the province of an organization whose sole purpose is to urge the application of the merit system and to uphold the civil service law. The Auxiliary was also strongly urged to advocate the reinstatement of the dismissed matrons on the Staten Island ferry boats and this appeal was set aside for the same reasons.

The Auxiliary has subscribed for 100 copies of "Good Government" to be sent to various institutions and organizations of New York state. Considerable time has been spent on the re-arrangement and extension of the Auxiliary property and office facilities. The reference library of civil service literature is being added to from month to month, and besides miscellaneous documents, comprises reports from all the civil service commissions, and the publications of the civil service reform associations. It is hoped that this library will form the beginning of a circulating library to be loaned to students of the civil service law and aspirants for civil service positions.

## SECOND SESSION.

McCoy Hall,

Thursday afternoon, December 15th.

**A**T 3.15 p. m. the League reconvened. President Eliot presided.

The following reports from Civil Service Reform Associations were read:

**Mr. Albert de Roode submitted the report from the New York Civil Service Reform Association:**

The New York Association has not been engaged in the pioneer work in the reform and its report therefore lacks the dramatic features of the reports of other associations. Our work has been that of maintenance and betterment rather than of construction.

In New York City we have found in Mayor Gaynor an effective supporter of the merit system. At the beginning of his administration he announced that it was his policy in respect to appointments in the police and fire department to appoint men in the exact order in which they appeared on the list, although the law allows the selection of one out of the top three. Later he announced that this was his policy not only with regard to the police and fire departments but to all the departments.

Our greatest victory, perhaps, has been in connection with probation officers, although this is not yet complete. In the bill reorganizing the inferior criminal courts as first introduced these probation officers were placed in the exempt class. The Association opposed this and finally a change was made, although not the change the Association recommended. The positions were made confidential, the obvious intention being to exempt them in this circuitous fashion.

We appeared before the commission which delayed for a great time before acting upon it, and finally exempted the positions, whereupon we asked the Mayor for a hearing. The Mayor gave us a hearing and reversed the action of his commission, saying that the positions should remain in the competitive class. In the meantime the case has gone into the courts and the

New York Association hopes to have an opportunity to present its side, and we hope ultimately we will get a decision in our favor.

The local municipal commission shows the evils of a wholesale change of a civil service commission upon the incoming of a new administration. The gentlemen are all believers in the merit system but they are unfamiliar with its practical operation, and the work of education by the Association has had to be begun all over again. That is, after our Association has educated one commission, a change of administration comes and we have to begin educating a new commission. The commission does not recognize as elementary things which are elementary, and there is great difficulty and a great waste of time in threshing out problems which have already been solved. The commission is, however, I think, coming around to our point of view.

In the State service important extensions have been made to some high positions, for instance certain deputy attorney generals, tax appraisers, and attorneys in the forest, fish and game commission.

The incoming of the Democratic administration will be a real test, a real struggle for the merit system. It is many years since the Democrats have been in control of the state administration, and there is naturally a large body of that party which is anxious to get office, to serve the state. We hope that we can prevent any wholesale exemption of positions. Governor-elect Dix, in a letter to an organization of civil employes before election said that it was not his intention to appoint a commission which should exempt positions which were now competitive, and that he was in favor of further extension of competition. We hope very much that he will be able to resist the pressure which will undoubtedly be brought to bear.

During the past session of the Legislature the Association was able to defeat bills which were injurious to the merit system rather than to accomplish needed improvements. One bill which was of great importance was a bill proposing a pension system for employes in New York. The bill on its face purported to be self-supporting, to be made up by contributions of the employes, and

it was claimed by the employes that the bill would be self-supporting. The Association took the precaution of submitting it to a prominent actuary for analysis, and we found to make the bill self-supporting, in addition to the forfeitures by deaths—for the bill provided for forfeitures of contributions by death of employes—it would be necessary for 750 out of every 1,000 employes besides those dying to forfeit their contributions either through resignation or removal. We presented these facts to the Legislature, or rather to a committee of the upper branch, and the bill was not further advanced.

We have to record that Governor Hughes approved the bill which extended a preference to certain classes of veterans; the preference had formerly been in the law and had been, and Governor Hughes approved the bill to restore this preference. On the other hand Governor Hughes vetoed a bill providing an entirely new charter for a large city because it contained a provision exempting the chiefs of the police and fire departments from the operation of the civil service law.

The main work which is now before the Association is one of improvement and betterment. Our problems are administrative. We want to extend the service upward, and improve methods of examination so as to facilitate this extension to the higher offices, and we want to keep in force in New York the excellent system of promotion regulations now established, and see them extended to the state service.

**Mr. John A. Butler submitted the report from the Wisconsin Civil Service Reform Association:**

As a delegate from the Wisconsin State Civil Service League, I beg your indulgence in referring briefly to a few general matters which are not wholly devoid of interest and encouragement.

As you know, civil service reform is an accomplished fact in Wisconsin and in the city of Milwaukee. We also have an excellent state commission and the relations between the commission and the League are most harmonious. There have been frequent hearings at Madison and some vigorous controversies in regard to exceptions, classification and related matters, in which the commis-



sion has called members of the League to its aid, and usually, I am happy to say, with fortunate results. Having been absent from Wisconsin, and from this country, for the greater part of two years, I am unable to give details, but I am able to say that the League is growing in strength and promises far better results in the future than it has accomplished in the past. During my absence several of its members developed greater interest and activity than they had formerly exhibited, and rendered efficient and uncompromising service. This winter will be a busy one, and attacks on the law are expected; but we intend to carry the war into the enemy's country in an effort to extend the application of the law to the staff of the libraries supported by the state and also to the state bank examiner. The following important matters will also be considered and pushed. It is desirable to amend the law so that persons, not citizens of the state, may be admitted to competitive examinations where technical, professional or scientific skill are requisite, and where the interests of the state in the opinion of the commission will be thereby promoted. A restricted control of local civil service boards by the state commission is also likely to be sought, giving the commission veto power in matters of classification as competitive or exempt; the right to approve the rules or the reverse, and the power to inquire into and investigate (upon complaint) the administration of a city commission in order to ascertain whether the city commissioners are obeying the law. In case of a violation of the law it is desired to give the state commission the power to remove and compel the mayor to make a new appointment. This seems in conflict with the principles of home rule for cities, and may not be advocated with success. Another matter in which the commission and the League will work together is an effort to amend the law authorizing Wisconsin cities to adopt the commission form of government so as to provide for appointments on merit, ascertained by competitive tests.

There has been a good deal of controversy in Wisconsin in regard to the matter of removals. The matter has come up for consideration in the past and it will have to be dealt with again this winter. As I under-

stand it, the national rule is that an appointing officer may discharge a subordinate summarily, on filing a detailed statement of the reasons, which are presumably not of a political or religious character. A counter statement may be filed by the discharged official and the incident is closed. That course is supposed to promote discipline and is believed by most of us to be all that can be done to maintain desirable conditions. Isolated cases of injustice might appear, but it is confidently believed that an appointing officer would rarely care to go on record with unjust formal charges, met by a counter statement which might be very damaging and that justice would therefore usually characterize dismissals. A most curious condition has, however, developed in Wisconsin, as I am informed by the state commission. "A state oil inspector removed a deputy at Antigo and gave as his reason for removal the fact that the deputy had failed to inspect the oil at a designated tank station near Wittenberg. The deputy set up in his answer that the tank station named in the complaint had not been in his district since 1908. He alleged that this station has been in another district. Under a ruling of the Supreme Court, as the law now stands, the commission cannot inquire into the truth of the complaint or the answer. The man at Antigo is out, the state oil inspector having filed an answer which on its face is sufficient, and which in law is true, whether in fact it is true or not." There are said to be a good many such illustrations, and by those who believe that unjust dismissals are frequent, it is suggested that the oil inspector, with the governor, can gerrymander oil inspection districts and practically gerrymander any man out of office by reducing his income. The remedy suggested by the commission is "that in case of removal a hearing should, if requested, be had quickly, informally, and inexpensively, before the civil service commission, the finding of which should be final and conclusive." It is not likely that the Civil Service League will support this contention, but without expressing my personal views, I refer to it as a matter of information.

There may be some desire to know what the status of the merit system is in Milwaukee, particularly at the present time. Under the successive terms of Mayor Rose, the character of all the commissions and boards is be-

lieved to have been somewhat lowered. It cannot, however, be said that the civil service commission or the fire and police board are in any way bad. We hope to be able to investigate pretty fully in the near future, but the probability is that the commissions have been borne down by the tremendous pressure of the mayor and aldermen, with the result that many places which were to be, and long ago should have been, placed on a competitive basis, have either been left or placed in the exempt class, because it has not been considered "practicable" to do otherwise.

When the Socialists came into power they approached their task with an admirable attitude toward the merit principle, and many men who were doing good work in the city's service were retained (though not "under the rules") without reference to their political affiliations. Recently, however, there has been a somewhat different situation, and the men who appointed Dr. Rucker health officer because he was an able expert of wide reputation, turned about after his departure and appointed an absolute ignoramus, who happened to have been a strong Socialist. Some of our Socialist leaders and the mayor in particular, are men of such fine quality that the prospect of their indulging in "spoils politics" is regrettable, to say the least. I can only speak of the situation in a general way, and I do not at the present moment think of anything further which is likely to be of interest, and I thank you very much for your kind attention.

The following reports from Associations were received, to be printed in the Proceedings:

**From the Denver Civil Service Reform Association:**

The Civil Service Reform Association of Denver begs to report a distinct advance in Colorado over the situation of one year ago. The application of the merit system to appointments, so far as required by law in the services of the state and of the cities of Denver and Colorado Springs, has proved so satisfactory that the past year has witnessed an increase in public sentiment favorable to the reform.

At the date of the last report the state auditor had refused for a period of ten months to allow the payment

of the salaries of the staff and other expenses of the state civil service commission. Since then at a conference called in December, 1909, by the governor with the members of the commission, the state auditor and other state officers, the governor announced, for the first time, that in his opinion the position of warden of the reformatory was not in the classified service, and directed the auditor to pay the warden his salary without the certificate of the commission and against its formal protest. This was a great surprise, as in the preceding April the governor held otherwise, and had directed the same warden to take a non-competitive examination, in which he failed to qualify, whereupon the commission had declined to certify the warrants for the payment of his salary. The governor, however, also directed the auditor to cease withholding the salaries and supplies of the commission, since which it has received them and been enabled to resume its work. Notwithstanding the inconsistency of the governor's attitude in relation to the warden at the reformatory, he has repeatedly declared himself in favor of the enforcement of the law, and has required compliance with its provisions from the heads of all state institutions.

There are two other important positions held in disregard of the civil service act, those of state parole officer and of physician at the penitentiary, whose salaries are approved by the state auditor without the certificate of the commission and against its formal protests. With the three exceptions named the civil service law is being observed at the state institutions, which is the present limit of the scope of the law.

There is a demand for the extension of the act to other departments of state administration such as irrigation service, the health department and pure food commission, the office of the bank examiner, which may receive favorable consideration by the 18th legislative assembly which meets in January.

The State Commission had the great advantage of the advice of Mr. Elliot H. Goodwin in the preparation of new rules and amendments to existing rules, which it has submitted to the governor for approval.

The civil service commission of Denver has conducted

its work during the past year with no outward opposition. The improvement resulting in the makeup of the police and fire force of the city has become very apparent.

The Colorado Springs commission has adopted and put in force during the past year an admirable set of rules applicable to all departments of the city administration, largely suggested by Mr. Goodwin.

In closing, this Association wishes to acknowledge its indebtedness and that of the several civil service commissions in Colorado, to the invaluable encouragement and assistance received from Mr. Elliot H. Goodwin on his recent visits to Denver and Colorado Springs.

**From the Pennsylvania Civil Service Reform Association:**

A year ago we reported greatly increased activity in politics on the part of municipal employees in Philadelphia. This tendency has not been checked and there was similar activity on their part at the polls on the day of the general election last month. One of the real scandals in the election the year before had been the wholesale way in which voters had received assistance in marking their ballots, under color of an unfortunately worded section of the election law. Those receiving this assistance included almost every municipal officeholder. A few days before the election of November, 1910, our Association addressed a letter to the mayor of Philadelphia calling his attention to these abuses and urging him to make public announcement that municipal officeholders who should care to mark their own ballots without assistance, and therefore without fear of coercion, would be protected in doing so. Like most of our letters to the present mayor of Philadelphia, this one has remained without answer. We are not informed whether in filing it he has classified it as "unanswered" or "unanswerable."

Last year federal employees shared to some extent in this increased activity of officeholders. As a result, our Association filed a number of complaints with federal authorities. These resulted in the dismissal of one employee of the Navy Department, and the suspension, without pay, of three employees of the Treasury Department, two for thirty days and one for forty-five days. The tendency toward increased activity was so well recog-

nized at Washington that the civil service commission, in February, 1910, requested each of the executive departments having employees in the third civil service district to warn them explicitly against any participation in politics. This, and the prompt punishment that was meted out in proven cases, may be responsible for the decreased number of complaints that have come to us recently.

This Association called to the attention of the federal authorities, a number of cases of apparent political and personal discrimination in the United States mint at Philadelphia. These were investigated by the Treasury Department, and resulted last winter in the reinstatement of four employees who had been dismissed because of politics, and in a number of other changes in the service which largely, if not entirely, corrected the unfairness and irregularity complained of.

Charges were brought of false statements in applications filed by employees at the Schuylkill arsenal. These were investigated by the civil service commission and the War Department jointly, and resulted in the dismissal of the two employees concerned.

The Association has been in consultation with the civil service commission with reference to the desirability of a more direct supervision by them over appointments in certain local federal offices. It has been only by gradual degrees that postoffices, custom houses and other offices have been brought directly under the supervision of the commission. It seems to us desirable that this supervision should be extended as widely as possible and made to include navy yards, arsenals and other federal offices.

The administration of the municipal civil service has not been more satisfactory than when we made our last report. We have now before the courts five cases brought to enforce various provisions of the local civil service Act. The most recent of these seeks to bring within the operation of the Act, the employees of some offices who have sought to escape upon the plea that they were "county" rather than "city" employees.

The municipal civil service commission has been adding to the positions in the exempt class with discouraging frequency. They have also discovered another section of the civil service act that can be turned to a useful

purpose. This is the one permitting a position in the competitive class to be filled without competition where the commission deems such competition impracticable, and where "the question can be best filled by the selection of some designated person of high and recognized attainments" "of a scientific, professional, or educational character," and "where peculiar and exceptional qualifications" of these kinds are needed in the position. Under this clause, the commission has permitted the appointment of a chief clerk of the bureau of highways, at \$2,800; a special inspector of street railway streets, at \$1,500; a statistician, at \$2,500; a chief at \$3,000, and an assistant chief at \$1,800, of the bureau of contracts and statistics; an accountant for the same bureau at \$1,500; a clerk in the law department, at \$1,000; an Italian interpreter and tenement house inspector, at \$900; and a curator of Independence Hall at \$900.

As you will observe in this last instance, even the shadow of the liberty bell offers encouragement for artful dodgers when there is an inconvenient law to be evaded.

**From the Buffalo Women's Civil Service Reform Association:**

The underlying purpose of this Association is to inculcate the principles of and the necessity for civil service reform, in the minds of those who are in the future, in one way or another, to carry on the government of our city, state and nation, to show them that efficiency should be demanded in public life as well as in private life; that the merit System is correct in principle and only needs honest and intelligent application. In this work we feel that definite advance has been made the past year. Under the careful and patriotic direction of the teachers of English and civics the work in the high schools has continued effectively, 369 pupils having read pamphlets and given definite attention to the subject.

In addition to this, the scope of the work commenced last year in the grammar schools has been greatly enlarged. Our idea has been, not to ask anything of the teachers in the way of essays or reports, but rather to place in their hands some instrument that would be of use in their routine work. For this purpose we offered to the principals of 41 public schools a copy of "A Primer

of Civil Service and the Merit System" for each pupil in the eighth grade. This to be used in the American history class at such time as the passage of the national civil service law comes under consideration then to become the property of the pupil. Every principal accepted, most of them with warm approval. In all we have placed the "merit system" before over 3,000 eighth grade children, not as a reform, but as a practical method of handling public affairs. The Buffalo Civil Service Reform Association has met one half the expense of this work.

At the request of the Chairman, the Secretary then read the report of the Special Committee on Promotions.<sup>1</sup>

Mr. Thomas C. Murray, assistant chief examiner New York City civil service commission, and Mr. George R. Wales, chief examiner United States civil service commission, read papers discussing this report.<sup>2</sup>

### THIRD SESSION.

McCoy Hall,

Thursday evening, December 15th.

**A**T 8.30 p. m. the League reconvened. Hon. Charles J. Bonaparte, president of the Maryland Civil Service Reform Association, presided.

President Charles W. Eliot delivered the President's annual address.<sup>3</sup>

Hon. Andrew J. Montague, of Richmond, Va., delivered an address.

Hon. William Dudley Foulke, of Richmond, Indiana, delivered an address.

### FOURTH SESSION.

McCoy Hall,

Friday morning, December 16th.

**A**T 11 a. m. the League reconvened. Mr. Richard Henry Dana presided.

Dr. Leander T. Chamberlain presented the report of the Committee on Nominations, as follows:

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Printed in full <sup>1</sup> at page 75; <sup>2</sup> at page 93; <sup>3</sup> at page 65.



## FOR PRESIDENT :

Charles W. Eliot.....Cambridge, Mass.

## FOR VICE-PRESIDENTS :

Edwin A. Alderman.....Charlottesville, Va.  
 John H. Choate.....New York City.  
 Harry A. Garfield.....Williamstown, Mass.  
 George Gray .....Wilmington, Del.  
 Arthur T. Hadley.....New Haven, Conn.  
 Seth Low .....New York City.  
 Franklin MacVeagh .....Washington, D. C.  
 George A. Pope.....Baltimore, Md.  
 P. J. Ryan, D. D.....Philadelphia, Pa.  
 Moorfield Storey .....Boston, Mass.  
 Thomas N. Strong.....Portland, Ore.  
 Herbert Welsh .....Philadelphia, Pa.  
 Woodrow Wilson .....Princeton, N. J.

## FOR MEMBERS OF THE COUNCIL :

William A. Aiken.....Norwich, Conn.  
 Frederic Almy .....Buffalo, N. Y.  
 Charles J. Bonaparte.....Baltimore, Md.  
 Arthur H. Brooks.....Boston, Mass.  
 Charles C. Burlingham.....New York City.  
 George Burnham, Jr.....Philadelphia, Pa.  
 Silas W. Burt.....New York City.  
 John A. Butler.....Milwaukee, Wis.  
 Edward Cary .....New York City.  
 Leander T. Chamberlain.....New York City.  
 William C. Coffin.....Pittsburgh, Pa.  
 Everett Colby .....Newark, N. J.  
 Charles Collins .....New York City.  
 William E. Cushing.....Cleveland, Ohio.  
 Richard H. Dana.....Boston, Mass.  
 Horace E. Deming.....New York City.  
 John Joy Edson.....Washington, D. C.  
 John A. Fairlie.....Urbana, Ill.  
 Henry W. Farnam.....New Haven, Conn.  
 Cyrus D. Foss, Jr.....Philadelphia, Pa.  
 William Dudley Foulke.....Richmond, Ind.  
 Charles Noble Gregory.....Iowa City, Iowa.  
 H. R. Guild.....Boston, Mass.  
 Henry W. Hardon.....New York City.  
 Robert D. Jenks.....Philadelphia, Pa.  
 Stiles P. Jones.....Minneapolis, Minn.  
 William V. Kellen.....Boston, Mass.  
 Francis B. Kellogg.....Los Angeles, Calif.  
 John F. Lee.....St. Louis, Mo.  
 William G. Low.....New York City.  
 George McAneny.....New York City.  
 Henry L. McCune.....Kansas City, Mo.

Harry J. Milligan.....	Indianapolis, Ind.
William B. Moulton.....	Chicago, Ill.
Samuel Y. Nash.....	Boston, Mass.
Samuel H. Ordway.....	New York City.
Elliott H. Pendleton.....	Cincinnati, Ohio.
John Read .....	Boston, Mass.
H. O. Reik.....	Baltimore, Md.
Charles Richardson .....	Philadelphia, Pa.
Henry A. Richmond.....	Buffalo, N. Y.
Edward M. Shepard.....	New York City.
Nelson S. Spencer.....	New York City.
Lucius B. Swift.....	Indianapolis, Ind.
Frank J. Symmes.....	San Francisco, Calif.
W. J. Trembath.....	Wilkes Barre, Pa.
Henry Van Kleeck.....	Denver, Colo.
William W. Vaughan.....	Boston, Mass.
Everett P. Wheeler.....	New York City.
Charles B. Wilby.....	Cincinnati, Ohio.
Ansley Wilcox .....	Buffalo, N. Y.
Charles D. Willard.....	Los Angeles, Calif.
Frederick C. Winckler.....	Milwaukee, Wis.
R. Francis Wood.....	Philadelphia, Pa.
Clinton Rogers Woodruff.....	Philadelphia, Pa.
Morrill Wyman, Jr.....	Boston, Mass.

It was moved and seconded that the Secretary be directed to cast one ballot for the election of the gentlemen named. The motion was unanimously carried, the Secretary cast the ballot and announced the election of the ticket as read.

Mr. A. S. Frissell, Treasurer of the League, presented the Treasurer's report.<sup>1</sup> Upon motion, the report was received and the President empowered to appoint a committee to audit the same and to report to the Council at its next business meeting.

President Eliot then took the chair.

Hon. Winfred T. Denison, assistant attorney-general, presented a paper, entitled "Politics *vs.* the Administration of Justice."<sup>2</sup>

Upon motion of Mr. Wilcox, the Secretary was authorized to have the paper of Mr. Denison printed as a separate pamphlet. A discussion followed the reading of this paper, in which President Eliot, Hon. C. E. Buell, Dr. Leander T. Chamberlain and Messrs. Wheeler, Wilcox, Dana and Reynolds took part.

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<sup>1</sup>Printed in full <sup>1</sup> at page 50; <sup>2</sup> at page 123.

Hon. William Dudley Foulke presented the report of the Special Committee on Resolutions. Upon motion, the report was accepted and the resolutions presented adopted as the Resolutions of the League.<sup>1</sup>

Upon motion of Mr. Harry J. Milligan, the following resolution was unanimously adopted:

Faith in the system of merit and efficiency afforded by civil service laws, has secured a firm place in American public opinion. The people strongly favor merit system extension. This has been shown whenever the question has been submitted to them. The League calls special attention to the state-wide vote in a typical American commonwealth last month. At that time the people of Illinois, by a vote of 411,676 to 121,132—a majority of 290,544—advised their General Assembly to enact "comprehensive" civil service laws. We trust that the lawmakers of Illinois will heed the voice of their people who have spoken so loudly on this vital subject of public policy. Such progressive action on their part will not only benefit all the people of Illinois; it will also advance civil service reform in all the states.

Mr. Richard Henry Dana presented the report of the Special Committee on Superannuation.<sup>2</sup>

Mr. Albert de Roode, Assistant Secretary, presented the report of the Special Committee on the Application of the Merit System to the Higher Municipal Officers.<sup>3</sup>

## FIFTH SESSION.

McCoy Hall,

Friday afternoon, December 16th.

AT 3 p. m. the League reconvened. President Eliot presided.

Hon. W. Cabell Bruce, of the Baltimore charter commission, presented a paper entitled—The Baltimore Charter Commission and the Merit System.<sup>4</sup>

Mr. Robert Catherwood, President of the Chicago Civil Service Reform Association, presented a paper entitled—The Development of Efficiency in the Civil Service.<sup>5</sup>

Hon. John F. Moors, member of the first Boston finance commission, presented a paper entitled—The

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Printed in full <sup>1</sup> at page 63; <sup>2</sup> at page 138; <sup>3</sup> at page 145; <sup>4</sup> at page 155; <sup>5</sup> at page 163.

Boston Plan—Appointments of the Mayor Subject to Approval by a Civil Service Commission.<sup>1</sup>

Hon. James W. S. Peters of the Kansas City civil service commission, presented a paper entitled—The Striking Features of the Kansas City Civil Service System.<sup>2</sup>

On motion of Hon. William Dudley Foulke, the following resolution was unanimously adopted:

The National Civil Service Reform League at the close of this, its Thirtieth Annual Meeting, held in Baltimore, Maryland, December 15th and 16th, 1910, records its grateful appreciation of the generous hospitality extended by the gentlemen of the Maryland Civil Service Reform Association, the ladies of the Women's Auxiliary and of the Arundel Club, and the officers of the Johns Hopkins University.

The meeting then adjourned.

*Attest:*

ELLIOT H. GOODWIN,

*Secretary.*

A banquet to the visiting delegates was tendered by the Maryland Civil Service Reform Association at the Hotel Belvedere at 8 o'clock on Friday, December 16th, at which Hon. Charles J. Bonaparte presided, and addresses were made by President Charles W. Eliot, Hon. Barry J. Mahool, Mayor of Baltimore, Hon. William Dudley Foulke, Hon. Richard Henry Dana, Hon. Robert G. Valentine and Hon. Winfred T. Denison.

On December 15th, the visiting delegates were tendered a luncheon at McCoy Hall, by the Women's Auxiliary to the Maryland Civil Service Reform Association, and in the afternoon a reception by Mrs George Huntington Williams at her residence, No. 803 Cathedral Street.

On December 16th, the visiting delegates were tendered a luncheon by the ladies of the Arundell Club, at their Club-House, No. 1000 North Charles Street.

## ANNUAL REPORT OF THE TREASURER

November 30, 1910.

Balance on hand December 1, 1909 ..... \*\$223 76

## RECEIPTS:

Subscriptions.....	\$1,367 00
Associate membership dues.....	295 00
Sustaining membership dues.....	200 00
New York C. S. R. Association.....	1,500 00
Massachusetts C. S. Association.....	1,150 00
Pennsylvania C. S. R. Association.....	974 45
Maryland C. S. R. Association.....	250 00
Chicago C. S. R. Association.....	200 00
Cincinnati C. S. R. Association.....	150 00
Buffalo C. S. R. Association.....	250 00
Connecticut C. S. R. Association.....	150 00
Denver C. S. R. Association.....	50 00
Wisconsin C. S. R. Association.....	80 00
District of Columbia C. S. R. Association.....	50 00
Indiana C. S. R. Association.....	60 00
Allegheny County C. S. Association.....	50 00
Women's Auxiliary of Massachusetts.....	100 00
Women's Auxiliary of Maryland.....	100 00
Women's Auxiliary of New York.....	100 00
Pamphlets Sold.....	34 37
Special Committee on Extension of Civil Service Reform	320 00
Total League Receipts.....	\$7,450 82
GOOD GOVERNMENT Receipts.....	1,156 80 8,607 62
	<u>\$9,831 38</u>

## DISBURSEMENTS:

Salary of Secretary.....	\$1,500 00
Salary of Assistant Secretary.....	1,250 00
Salary of Second Assistant Secretary.....	635 42
Salary of Clerks.....	1,127 68
Rent of Office.....	550 00
Printing.....	947 22
Traveling Expenses.....	184 85
Office Expenses.....	264 20
Stationery.....	189 28
Postage and Stamped Envelopes.....	472 87
Special Committee on Extension of Civil Service Reform	321 08
Total League Disbursements.....	\$7,462 50
GOOD GOVERNMENT Disbursements.....	660 88 8,143 38

Balance on hand..... †\$688 00

E. &amp; O. E.

A. S. FRISSELL, Treasurer.

\*Of which \$146.02 is Special Fund of the Committee on Extension of Civil Service Reform.

†Of which \$134.99 is Special Fund of the Committee on Extension of Civil Service Reform.

Audited and found correct,

GEORGE R. BISHOP,  
RUSSELL H. LOINES,

Committee.

January 26, 1911.

## REPORT OF THE COUNCIL.

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### TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

During the past year we have lost by death Mr. Nathaniel Henschman Davis, of Cincinnati, a member of our Council since 1906. He fought for our cause during the dark hours of the reform in his state, and died just as the dawn is breaking there.

Not alone in Ohio, but throughout the country we have much to record of brightening hopes and clearer light in the twelve months that have passed since our last and very successful annual meeting in New York on December 9th and 10th, 1909. We have a President of the United States who is a staunch friend of the merit system. He was President of the Cincinnati Civil Service Reform Association when the League held its annual meeting in that city in 1897. As governor of the Philippines, he secured for that archipelago a complete civil service law. He has upheld our cause on many occasions by word and deed, and we feel sure of his sympathy and support on important matters.

On September 30th, last, President Taft issued an executive order to place in the competitive classified service the assistant postmasters in post-offices of the first and second classes and the clerks in the non-free delivery postoffices of the same classes, heretofore exempted. This classification which took effect December first, includes 2237 assistant postmasters and 1386 clerks, or 3623 in all.

President Taft, however, has made a recommendation that goes far beyond assistant postmasters and clerks hitherto unclassified. In a speech before the League of Republican Clubs in New York City on October first, he adopted among his carefully considered policies the extension of the merit system to postmasters of the first, second and third classes, collectors of internal revenue,

collectors of customs, surveyors of customs and appraisers. He said: "All of those offices ought unquestionably to be in the classified service." All of these officials are now subject to confirmation by the Senate, and can be included in the civil service laws only through the direction of the Senate or by an act of Congress. This would open up high positions for promotion, would make the public service indeed a career; and we should avoid the danger to representative government of a solid phalanx of highly paid government officials, holding perhaps the balance of power in presidential conventions.

The policy of extending the merit system which the President advocates in his recent message to Congress, of which this speech in New York was merely a forerunner, is based on broad and progressive lines, and aims to carry the principle of competition in the government service as far and as high as it can practically and usefully be applied. The program of legislation laid before Congress shows a clear comprehension not only of the need for removing the entire subordinate civil service from the influence of politics, but also of the fact that public opinion has advanced to a point where it will no longer tolerate existing conditions under which minor employees alone are selected for merit, while the superior officers in charge of their work are, to a large extent, chosen with regard to their political qualifications. Postmaster General Hitchcock, in his annual report just issued, makes the same recommendation as applied to the first, second and third class postmasters, that is, all with salaries of over \$1000 a year. The President also calls attention to the benefits accruing to the consular and diplomatic services through the partial application of the merit system by executive order, and calls upon Congress to secure and improve these results by enacting legislation providing for the application of the competitive system to these services, in accordance with the civil service law. Further, the President states that while the civil service law should not apply to officers responsible for the policy of the administration and their immediate personal assistants or deputies, yet with these exceptions, it is applicable to all purely administrative officials, and asks Congress immediately to enact a law providing that the

executive shall have the power to include in the classified service all local officers outside of Washington, whose appointments now require confirmation by the Senate. And the Secretary of the Treasury, in his recent annual report, urges with much emphasis the same as to positions of that kind in his department. President Taft in his message calls attention also to the need for a system of promotions. By thus defining the proper limits of the classified service and recommending to Congress legislation extending the classification to high officials, in connection with his recommendations for securing increased economy and efficiency in the government service, President Taft has taken an advanced stand which we are assured will meet with popular approval and commendation as it already has with that of the press.\*

In this message he has favored a contributory plan for the relief of superannuation in the civil service. This will be treated at length in the report of our special committee on superannuation. The contributory method, with a separate account kept with each employee, which the President recommends, seems to be more in accord with the most modern ideas than any other, and is in general the one we should recommend.\*

After years of effort, all the postoffice inspectors were put under civil service rules, including the chief inspector, whose office would then be filled by promotion from among persons of long experience in the service. This is in the line of the recommendations recently made by the committee of Congress appointed to investigate into the needs of the postal service, which favors high, permanent officials in the department at Washington, with long terms, to be chosen from among the experts in the service, instead of from outside politicians with short terms, going out just as they learn the needs of the department. President Taft, we regret to say, by executive order, exempted this office of the chief inspector, and immediately afterwards appointed to that position Robert S. Sharp, of Tennessee. Mr. Sharp has been a chronic officeholder and an organizer of political conventions for many years past; and we now discover that, instead of attending to

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\* The portion of the President's message commented upon in this report.



his duty as chief postoffice inspector, he stayed long in Tennessee, organizing the political forces under his control. The inspectors form the auditing, investigating and detective department of the postoffice service, and under the civil service rules, are chiefly responsible for the appointment of fourth class postmasters with salaries under \$500 a year in several states in which the fourth class postmasters are classified. It is thus vitally important that the postoffice inspectors, including their chief, should be completely separated from politics. Evils like these, however, would all be obviated in the future, should his recommendations for extensions to such offices be carried out.

The number of special exceptions by executive order, by which persons are appointed to competitive positions without examination, has in the last twelve months been reduced to twenty-three, or less than half the yearly average under President Roosevelt, namely, 58. Most, if not all of this year's special exceptions have been approved of by the civil service commission, but a careful perusal of the reasons which are made public in each case, shows in our opinion that the number might still further be reduced.

In the consular and diplomatic services, the executive orders have been consistently carried out, with the very best results, a large number of positions being filled either as the result of examinations or by promotion within the service. A merit system has been recommended for army promotions by Secretary of War Dickinson, as previously also by Secretaries Root, Taft and Wright.

Congress has before it two civil service bills, both recommended by the President, one to enact into law the executive orders applying limited competition to the diplomatic and consular services, and the other to regrade salaries throughout the entire civil service, to correspond with duties performed. Some such regrading is absolutely necessary to the adoption of a system of efficiency investigations and promotion regulations. In the excellent system adopted in Chicago, the regrading of the classified service preceded the work of the bureau of efficiency. Congress had appropriated \$100,000 for in-

vestigations into the methods of the departments at Washington, and the President's message reports this work well under way.

Perhaps the most interesting episodes in Congress are two debates on civil service reform. There was a marked absence of the old trivial treatment of the subject, while some of the Senators, such as Senator Carter of Montana, took an advanced stand in favor of extension of classification to those higher Senate-confirmed officers in the postoffice department recommended by President Taft and by this League, and the suggestion met surprisingly little opposition.

Turning next to the federal commission, there is little to report regarding it, for it has devoted much of its attention to internal improvements and routine work. It reported in favor of the classification of assistant postmasters and permanent clerks in non-free delivery offices, and has conducted a number of investigations as to political activity.

The attitude of the commission regarding the extension of civil service reform to the remaining fourth class postmasters, not yet classified as competitive, requires, in our opinion, public comment. It will be remembered that President Roosevelt's order included the fourth class postmasters in the states north of the Potomac and Ohio and east of the Mississippi, only. The request of the commission that further extension wait until they had revised the rules as based upon their experience, is reasonable; but we find the majority of the commission is opposed to any further extension. Careful inquiry shows that their rules have worked without serious hitch, the appointments have been in the main of efficient persons, far above the usual political appointee, and many postmasters have fitted up their offices with better equipment and given more time to their business as postmasters, on account of the more secure tenure. The reasons given by the majority of the commission seem to us theoretical and in many respects contrary to the principles of civil service reform. One of them is that the postmasters object to being debarred from political activity, and good men would not seek appointment. This, however, is contradicted by experience, the Association of United States Postmasters de-

claring through their officers their satisfaction at being freed from the necessity of doing political work for members of Congress, often against their own individual convictions, and the Association has unanimously urged this extension with full knowledge of its political restrictions. Postmaster General Hitchcock, in his recent report, points out some of the difficulties in the application of the rules to the lowest salaried fourth class offices, yet favors "a general extension of the system throughout the country."

Next, taking up the federal service in general, we may consider the political activity of officeholders. So far as the service goes that is under the competitive system, and precluded by the rules from active political work beyond the right to vote and express privately their opinions on political subjects, there is little complaint. The few cases that have arisen have been investigated by the civil service commission and have resulted in punishment, sometimes removals, though the penalties have sometimes been trivial. In the case of Joseph F. Vick, superintendent of city delivery in the Rochester postoffice, who was recommended by the civil service commission to be severely reprimanded, the punishment accorded by the postoffice department was to take away from him the unpaid and arduous duties of local secretary of the civil service commission, while he retained his paid position, with salary unabated.

As to the positions outside the civil service rules, political activity and the control of conventions seem to be unabated. For instance, in Alabama, out of two hundred delegates to the Republican state convention, one hundred were federal officeholders, and many others their near relatives and friends. Throughout the southern states, the political activity of these federal officeholders is shown by controlling nominating conventions in order to retain their places rather than in securing votes in election.

This activity of federal officeholders is not by any means confined to the southern states. At the Republican convention at Saratoga, N. Y., this last autumn, at least 65 out of about a thousand delegates were federal officeholders; but the extent of their influence is not by any means restricted to their proportionate representation.

For example, the postmaster of Buffalo, Fred Greiner, the recognized Republican "boss" of Erie County, headed a delegation of 61. Again, in Chicago, the postmaster, with a salary of \$8,000, seems hardly expected to know anything about the nature of the official work entrusted to him; that work falls to the assistant postmaster, with a salary of \$4,000. This has been the case with the last three Chicago postmasters in succession.

As to political assessments, they have by no means ceased. In GOOD GOVERNMENT, we have shown some particularly glaring cases in Arkansas and Alabama.

Secretary McVeagh, in his report of 1909, states that political influence in appointments was largely responsible for the customs frauds; and Surveyor Clarkson, himself no mean authority on the subject, on retiring from office, left as a legacy this statement: "The customs service will never attain its rightful and possible efficiency until it is completely separated from political influence and entirely removed from partisan politics and personal ambition."

In the Philippines, the annual report of the civil service bureau seems to show that the law and rules are well upheld and the effectiveness of the merit system has been increased. Attempts of the Insular Assembly to weaken the law have fortunately been thwarted by the Philippine Commission. The proportion of Filipinos receiving office under the civil service system generally and higher positions in particular, is increasing. Indeed, some authorities hold that promotion of natives has been too rapid for the efficiency of the service.

In Porto Rico, the law has heretofore been inadequate. The bill introduced in Congress, on the recommendation of President Taft, to reorganize the government of Porto Rico, extends the merit system to the entire service, and places its administration under federal control. This bill is still pending in Congress. A new chairman of the Porto Rican civil service board, Mr. Edmund Enright, formerly employed in the office of the Philippine civil service bureau, has been appointed.

The growth of the reform in state, city and county, throughout the country during the past year has been indeed remarkable. We shall hear reports of these in detail from local associations.

Extensions have been made in Illinois to the state board of control and to three additional cities; in Boston, Massachusetts, to the office of penal institutions, commissioners, and by city ordinance, consolidating several departments, to some important positions formerly exempt as heads of principal departments; in Detroit, Michigan, by amendment to its city charter recently adopted by a popular vote of three to one; in New Jersey to the cities of Newark and East Orange and the County of Essex by popular vote, the former adoption by city council or board of supervisors having been declared unconstitutional by the Supreme court; and in New York state to seven large villages.

Some of the extensions during the year have been to higher positions, with successful results for the competitive system. In Los Angeles, the construction of an enormous aqueduct, 140 miles long, to cost \$125,000,000, was first put into the hands of engineers selected in the usual ways. Everything went so badly that an inquiry was instituted, great waste and extravagance were shown, and subsequently the selection of the engineers and all other positions on the work was made strictly in accordance with civil service rules. The authorities then went ahead with the project, and it is now stated that it is one of the most successfully managed public works in the world, and that the aqueduct will be built for far less money than it would have cost under the spoils system.

The successful examinations for high administrative positions in Chicago, with salaries averaging about \$6,000 a year, which obtained men of great ability, have received widespread public attention.

In Massachusetts, the head of the architectural division of the school department has been selected through competition, in which oral examinations, conducted with the aid of expert architects, investigating achievements, etc., formed a conspicuous part.

In Kansas City, Missouri, the competitive civil service methods have been applied to high municipal positions such as a few years ago were considered wholly outside of the scope of any sane civil service law. The positions included city engineer, for example, and all the assistants of the city attorney.

In Pittsburgh, Pennsylvania, thirty medical inspectors were selected through competition.

In New York state, the transfer tax appraisers, the stock transfer clerks and the court and trust fund examiners were placed in the competitive class.

There have been promising campaigns conducted for the merit system in California, where the recent election of Hiram W. Johnson as governor and many members of the legislature representing the wing of the party with a civil service reform plank in its platform, gives hope for a successful issue; in Illinois, for general state and Cook County civil service laws, and at the recent election upon the question put on the ballots, "Shall the next General Assembly enact a comprehensive and adequate civil service reform law," the popular vote was  $3\frac{1}{2}$  to one in its favor. In addition to this, a large majority of both house and senate as elected is pledged to abide by this vote and to work and vote accordingly. Campaigns have also been going on in Michigan, and in New Jersey where the Democratic party has declared for the reform, and plans are being laid to get more political divisions to accept the civil service law by popular vote.

In Maryland, a proposed charter for the city of Baltimore, with civil service provisions, did not pass the legislature. In St. Louis, Missouri, a new charter is under consideration, and there is a strong sentiment in favor of civil service provisions.

In Chicago, the whole municipal service has been re-organized and regraded, and a corps of experts is established, called the efficiency bureau, for examining into the work done by each employee and each group under a superior, to eliminate the incapable and to recommend for promotion the most useful.

In Ohio, the new municipal code, providing a civil service reform system for all cities, went into effect January first, last, and our League has supplied information to several of the city commissions.

In New York City, Mayor Gaynor has been favorable to the merit system. He ordered that eligibles be chosen in their numerical order as far as possible, so as to prevent favoritism or pressure from among the three highest.

In Illinois, political assessments have been prevalent

in the state service, in which all but the state charitable institutions are unclassified. Many of the assessments were called "voluntary."

To illustrate how one official may prevent the collection of political assessments, Mr. William H. Hotchkiss, superintendent of Insurance in New York state, succeeded in doing so by calling public attention to a circular sent out by the political committees, on which was the humorous heading, "Not intended for officeholders."

In New York city, the wholesale collection of political assessments in the Borough of Queens came up in the course of the proceedings for the removal of the borough president and witnesses testified that they were in the habit of paying contributions to whichever party happened to be in power, but insisted that these contributions were "voluntary" saying they "knew on which side their bread was buttered."

In Indiana, a general municipal code was enacted in 1905, contemplating the adoption of the merit system; but the rules to be adopted were left to the heads of departments, and naturally enough these heads of departments have adopted no rules to prevent themselves from dispensing the patronage they wish to give their followers.

In Massachusetts, the Spanish war veteran preference was defeated, this time in committee. The Allen M. Osborn Camp of Spanish War Veterans of New Haven, Connecticut, set the fine example of passing a resolution against veteran preferences, greatly to the credit of their patriotism.

The tenure of office and the general conditions of civil service commissions have been brought prominently forward during the last year. In some instances the civil service rules are drawn by city government, in others the commissioners are appointed and subject to arbitrary removal by mayors or city councils, whose use of patronage the rules and commissions are supposed to restrain. A civil service commission ought, to use the words of the Massachusetts bill of rights as applied to judges, "to be as free, impartial and independent as the lot of humanity will allow." Commissions should have sufficient salaries and appropriations for their work.

Secretary of the Treasury McVeagh is considering the competitive classification of bank examiners. The matter has been further taken up with the comptroller of the currency. Bank failures which disclosed inefficient investigations make such an extension seem desirable, and the fact that bank examiners of New York state, under the competitive system, have done most efficient work with the utmost dispatch, makes it seem feasible.

The secretary of the League has just returned from a trip to the West. It may be stated in general that he went to Richmond and Indianapolis in Indiana; St. Louis and Kansas City, Missouri; Denver, Colorado Springs, Los Angeles, San Francisco, Minneapolis, Chicago and Buffalo. Nearly one-half of all the extensions above reported were either the direct work of the League, or the League's office was consulted in the drafting of laws, rules and regulations, while pretty nearly all are, we believe, indirectly due to its efforts.

Your executive officers went on to Washington, visited the President, consulted several members of Congress and the civil service commission, besides which Dr. Eliot and Mr. Dana have seen President Taft individually on civil service matters, while Mr. Goodwin has visited Washington on various occasions on the business of the League.

On the whole, it has been a year of marked encouragement particularly in the adoption of civil service laws by popular vote in so many places, and the great success in Chicago of the bureau of efficiency already referred to, the extension by President Taft to assistant postmasters and exempted clerks and his proposal to Congress endorsed by report in which his cabinet officers chiefly concurred, for legislation to enable postmasters, collectors of customs and the like to be classified, all of which has been unanimously applauded by the press throughout the country.

We have still much work to do. So far, say two-thirds of the national patronage, is under the competitive system, and perhaps one-third of all the patronage of nation, state and city. But the higher administrative officers are as a rule still exempt. As long as high public offices are offered in exchange for political work, this



demand for political work will surely be, as in fact it is, supplied, and it becomes the chief occupation of these officeholders. We, on the other hand, wish these offices to be offered in exchange for efficient service, and then, just as surely will that demand be met with a supply of devotion to official duty rendered in return. The cause of the organization of our League was the improvement of politics in America by removing the debasing and corrupting temptations of the spoils system. Much of our time is now devoted to details and improvement of efficiency in various directions. That is not because we have lost sight of the cause for our existence; but because it is only by showing that civil service reform promotes economy, faithfulness and a good return for the money spent that we can remove the objections to its further extension.

## RESOLUTIONS OF THE LEAGUE.

The National Civil Service Reform League, assembled at Baltimore, Maryland, in this its Thirtieth Annual Meeting, congratulates the country upon the continued progress of this fundamental reform during the past year, particularly as manifested in:

The executive order of September 30, 1910, placing in the competitive service assistant postmasters and clerks in non-free delivery offices;

The recommendations of the President's recent message for the enactment of legislation placing the first, second and third class postmasters in the competitive service, and extending the merit system to the diplomatic and consular services, and

The broad declaration of principle contained in this message that, excepting officers responsible for the policy of the administration and their immediate personal assistants or deputies, all administrative officials should be classified in the competitive service, including those whose appointments now require the advice and consent of the Senate.

The League recommends:

1. The extension by executive order of the competitive classification of fourth class postmasters in view of its successful operation in the territory wherein it is now applied.
2. The extension of the merit system to the municipal service of the District of Columbia.
3. Legislation giving the appointment of first, second and third class postmasters to the President alone, or to the Postmaster-General, without confirmation by the Senate, as a necessary preliminary to classification under the civil service law.
4. Legislation which, in accordance with the recommendation of the President, shall bring within the merit

system the appointment and promotion of all federal employees, excepting only officers responsible for the policy of the administration and their immediate personal assistants or deputies.

5. The extension of the merit system of appointment and promotion to employees of legislative assemblies, national, state and municipal.

6. The effective regulation of the political activity of all non-political officers and employees.

7. The enactment of a comprehensive civil service law for Porto Rico.

8. Renewed efforts to introduce and extend the merit system in the civil service of our states, counties and municipalities; efforts in which we should be encouraged by the gratifying results of the submission to popular vote of the principal of civil service reform in the recent elections held in Illinois, Michigan, New Jersey and elsewhere.

## Things Won and Greater Things Not Yet Won.

CHARLES W. ELIOT, PRESIDENT OF THE NATIONAL CIVIL  
SERVICE REFORM LEAGUE.

The labors of the National Civil Service Reform League have been rewarded during the administrations of President Roosevelt and President Taft by the attainment of many improvements in the national service. Today about 294,000 employees of the government are in the classified service, of whom about 226,000 are competitive and most of whom have been appointed for merit and promise demonstrated through adequate examinations and thorough inquiry. About 68,000 persons in the classified service have, however, been appointed on exceptional terms, with exemption from examination or without competitive examination,—a grievous fact which cannot but gravely qualify the satisfaction of this League in the results already obtained in the lower grades of the national civil service under existing legislation.

The unclassified service numbers about 61,000 persons, of whom 49,000 are unskilled laborers, and 2,600 are census appointees. Deducting these 51,600 persons from the total of the unclassified service, there remain something more than nine thousand presidential appointees who are subject to confirmation by the Senate, and in this number are included all the higher officers, such as first, second, and third class postmasters, collectors of customs and internal revenue, appraisers, district attorneys and marshals, consuls, and diplomatic appointees. These nine thousand are all political appointments, or spoils of victory at the polls. Under the practice of our government, lately very frankly described by President Taft, these spoils are distributed by senators and representatives. In short, the valuable and influential offices in the public service are still party or personal "spoils." The figures given must not be regarded as exact, or as accurately representing the state of the service on any one day. A

precise enumeration would be difficult and costly; and at present no government agency or office seems to be in possession of the exact facts. Thus much, however, is clear:—the higher places in the government service, to the number of nine thousand, are inaccessible to the 294,000 men and women who have entered the classified service. However meritorious these subordinate servants of the government may prove themselves to be, they cannot reach higher posts without procuring the active influence of a patron, or without commending themselves in some way to the persons in whose gift the higher offices lie. The original appointments in the classified service are made for merit; but thereafter advance of salary and promotion must be secured, as a rule, by "influence," and the higher parts of the national service are in the main inaccessible to members of the classified service.

It has been an immense gain that the original appointments to 226,000 places have been rescued from the grasp of politicians, and made accessible in a thoroughly democratic way to competent men and women; but so long as promotions generally go by favor, and not by merit, and so long as there are many thousands of persons in the classified service who have been exempted from passing examinations at appointment, or have passed only non-competitive examinations, the civil service of the United States cannot be said to offer an attractive life-career to intelligent and ambitious young people, and will remain inferior as a career to many services in this country, already organized and conducted on a merit system by numerous business and educational corporations and charitable or betterment associations. A service which has no system of promotion for merit, and no system of pensions or retiring allowances, and in which all the higher posts are held on short tenures and without personal or official independence, is obviously very inferior not only to most government services in Europe, but to many private and corporate services in the United States, which have already adopted advancement for merit, insurance against disease and accident, and pensions on disability or old age.

In consequence of this unfortunate condition of things, many young people, of good quality as regards both intelligence and character, enter the national service by exami-

nation, serve diligently for a few years, and then, finding themselves cut off from the higher places in their several departments, quit the service of the government, and find employment in private or corporation services which are much better organized than the civil service of the national government. By this exodus the government is constantly losing the best part of its employees. The civil service ought, of course, to offer just as satisfactory and honorable a career as the military and naval services offer; but is far from doing so, first, because no system of promotion for merit has ever been contrived for the civil service, and secondly, because the nine thousand posts at the top of the civil service are still political "spoils."

The work of the National Civil Service Reform League has been supposed by many public-spirited persons, who are not acquainted with the facts in the case, to have been practically accomplished; but the truth is, that the work of the League is only well begun, and its most important work remains to be done. Indeed, there has never been a time in the whole history of the League when widespread and ample support in money, service and patriotic interest was more needed than it is now. It was only on September 30th, 1910, that the most important step ever taken towards making the civil service of the government a worthy life-career was taken by President Taft, in his order putting assistant postmasters into the classified service. Heretofore the assistant postmasters have been "spoils" appointees. Hereafter they will be merit appointees, and will supply the government with a large body of capable and experienced men, from whom the postmasterships can be advantageously filled. President Taft has also declared in a recent message his opinion that first, second and third class postmasterships should be transferred to the classified service, and be filled with experienced men, advanced for merit. Under the present law, postmasters in first, second and third class offices must be confirmed by the Senate; so that new legislation is needed in order to bring about this great improvement in the postoffice department, regarded as a business organization which should be conducted with the utmost efficiency in the interest of the whole people. To procure this new legislation will undoubtedly require a

strong pressure of public opinion from all parts of the country. This League will do its utmost in support of the recommendations of President Taft.

To promote the transformation of the national civil service into a business-like organization offering a life-career to intelligent and ambitious young people, the League, through a committee appointed for the purpose, has prepared a plan for regulating promotion throughout the service. The work of this committee on promotions has extended over several years, and has involved much study of existing conditions in this country and in the leading countries of Europe. The plan recommended by the committee is believed to be the first thoroughly studied plan adapted to existing conditions in the United States; for today no general rules governing promotion exist, either in Washington or in the civil service outside of Washington, and none have been publicly proposed. Certain departments have regulations concerning promotions; but there is no uniformity in the several departments, and no existing regulations are satisfactory. The committee of the League recommends the introduction of a uniform system of promotion, based mainly upon competitive examination, but in part also on records of efficiency and on seniority. In order to bring into effect any comprehensive system of promotion for merit, additional legislation will be necessary, and particularly a law providing for a re-classification of salaries. Such a bill was introduced by Mr. Gillett of Massachusetts during the last session of Congress, and is on the calendar for action at the present session. The passage of this bill will make possible the adoption of a uniform promotion system. The committee on promotions is strongly of the opinion that neither seniority nor efficiency records should be adopted as the main ground of promotion, but that all candidates for promotion to a given office should submit themselves to the same tests of capacity, and that these tests should relate chiefly to ability to perform the duty of the higher position sought. Since civil service examinations were first established under the Law of 1883, great improvements have been made in the quality and scope of the examinations. These improvements have been made not only in the national service, but in the state and municipal

services; and there is at present no difficulty in conducting competitive examinations, directed with the utmost precision to ascertaining the physical, intellectual, and moral qualifications of a large or small group of candidates for offices which require expert knowledge and skill, as well as for those which require only elementary knowledge, a sound body, and a good character. Examinations for promotion in the higher parts of the civil service will often require expert examiners; and will often include the same kind of examination into the education and experience of the candidates, which any careful person or corporation habitually uses in filling vacancies in a trained staff. The committee on promotions also recommends that all promotions be made for a probationary period, just as original appointments should be. It further recommends that the civil service commission should be given discretion to decide whether a high place in the civil service, demanding executive ability, should be filled through promotion, or through the holding of an original, open, competitive examination, to which employees should be admitted. Through the exercise of this discretion the commission could bring new blood into the system at various stages.

This League would not have it inferred, from the fact that it has presented a plan of promotion applicable to the classified service as it now exists, that it supposes the classified service to have reached its proper limit. On the contrary, it is unquestionably the opinion of the League that all administrative officials, whose work is regulated by public law and by the decisions of their administrative superiors, should hold their positions, regardless of political changes, on secure tenures during efficiency and good behavior. The League cordially welcomes the recommendation contained in the last report of the Secretary of the Treasury that all non-political offices be classified in the competitive service. Only those officers who determine the policies of the government, and their immediate assistants, should be changed to match the changes in the political opinions and sentiments of the people which elections record.

It has been the practice of all the administrations since the civil service law was enacted to make appointments to excepted positions in the classified service with-



out conforming to the prescriptions concerning examinations. These exceptions carry into the classified civil service many persons who have given no proper evidence of either capacity or character; and put at the disposition of politicians or other patrons annual salaries to a large amount in total. The commonest argument in favor of these exceptions is that officials who have fiduciary functions want to have assistants selected either by themselves or by friends who have personal knowledge of the candidates. This argument is not a remarkable one. A fiduciary officer will in most cases get a better assistant, if he is supplied by a civil service commission with a man or woman whose character, habits and mental quality have been subjected to an impartial examination by experienced examiners, than he will procure through his own individual selection. Accordingly, experience concerning delinquencies, neglects, and crimes in the civil service of the United States shows conclusively that they occur among the excepted appointees and in the unclassified service much more frequently than in the competitive, classified service. The best man to trust in a confidential capacity is the man who is not afraid to have his previous training and experience and his capacity and character inquired into by impartial and experienced examiners.

A strong argument in favor of extending the classified service all the way up to those offices which have to do with the determination of the political policies of the government is to be found in the political activity at nominating conventions and elections of the existing unclassified service—that is, of all the higher civil servants of the government. Officials who owe their appointments to political influence, who hold them as rewards for party service, naturally feel under obligations to be active on behalf of the administration, party, “boss,” senator, or representative, who gave them their appointments. Every recent national administration has thus far accepted the political services of such officials without restraint during nomination and election campaigns; and there have recently been given striking exhibitions of the effective response of “spoils” civil servants to the call of their respective patrons, seeking to control party conventions in the state of New York and in several of the Southern

States. Several Presidents have forbidden political activity to members of the classified civil service; but no President has effectively forbidden members of the unclassified service,—that is, all the higher officials in the service, to be active in nominating conventions and political campaigns. So long as the American people see thousands of officeholders exerting themselves to the utmost to keep their party, their immediate administrative superiors, and themselves in power, so long will they distrust a permanent civil service with tenure during efficiency and good behavior. All intelligent persons can see that a permanent civil service, which can afford a satisfactory life-career to its members, must be ready to serve whatever chief officers of the government may be put in power by popular election, and must therefore be prohibited from engaging in party political activities,—just as appointed judges and officers of the army and navy are now prohibited from participation in political conflicts by custom and by their own self-respect and desire for independence.

Obnoxious political activity is not the only abuse which would be done away with, if the civil service were classified all the way up to the executive offices which have to do with determining the policies of the government. In the present unclassified service there is a great deal of absenteeism. Many men appointed for political reasons, without any test of their capacity or fidelity, are not only frequently absent from duty, but are in the habit of hiring assistants or clerks at low wages to do all, or nearly all, the work of their office, taking to themselves the greater part of the compensation provided for their offices, but doing none, or very little, of the work. Under a merit system of appointment and promotion, these evils would not occur.

Again, if every department of government were organized on the merit system as a business office, another obvious bad tendency in democracies would be checked, namely, the tendency to create sinecures, or offices with pay but no function. In this respect democracies tend to outdo aristocracies; but the sinecures created by democracies are usually in the lower grades of government employment, rather than in the higher. A merit system of appointment and promotion honestly applied would soon

do away with the thousands of sinecures which now exist in the national, state and municipal governments of the United States.

In order to secure a satisfactory civil service from bottom to top, something more than good methods of inquiry into the merits of candidates for appointment and promotion is clearly needed, namely, a proper system of probationary appointments and promotions. No appointment should be made, and no promotion given, except on probation for a specified period. The effect on a given man of securing a desired appointment or promotion can seldom be predicted with certainty, and moreover, one who has succeeded in a lower station is not sure of succeeding in a higher. Hence, probationary appointments are an indispensable part of a sound organization which proposes to secure fidelity and efficiency.

This League has been interested for several years in the discussion concerning pensions, or retiring allowances, in the civil services of the country, national, state and municipal; and has endeavored through reports of committees to contribute to the progress of the discussion. It believes that some method of retiring disabled or superannuated officials in a humane and therefore practicable way is essential to the best efficiency of any permanent service; but it sees difficulties in the way of applying any pension system to the United States civil service in its present condition. Until men in the lower grades of the service have access to the higher grades, the lower grades themselves will not attract or keep the most intelligent and ambitious men; and in consequence it will sometimes be difficult to fill the higher grades from the lower. The higher officials, on the other hand, being all political appointments with uncertain tenure, are no fit candidates for long-service pensions. Again, existing laws usually prescribe a fixed number of clerks or assistants in each of several grades to be distributed among the Washington departments, leaving to the heads of the departments no discretion as to the number of clerks of each class to be employed in the several departments. If a vacancy occurs in one of the higher classes of clerks, it is the interest of the department to keep good the number of clerks in that class. If the vacancy is caused by the retirement of a

disabled or superannuated official, the cost of any pension or retiring allowance given to him is a clear addition to the cost of the total active service; whereas, if the head of the department had discretion as to the number of clerks of each class that he employed, a pension granted to a retiring official might not increase at all, or but very little, the total expenditure for clerical service within the department. In any well-arranged administrative staff the payment of a pension to a retiring official will not cause an immediate additional expense to its full amount; because the person retired is usually replaced by a much cheaper employee at the other end of the scale, and the pension is never equal to the salary of the person retired. The fixed number of clerks of each class in the Washington departments prevents this sort of economical adjustment.

An active discussion has lately been in progress concerning the best form of pension, some of the interested persons advocating a simple pension paid outright by the government, like the national pensions for judges and army and navy officers; while others advocate the establishment in case of the government of a retirement fund to be derived from annual reserves from the salaries of all employees, or from these annual reserves and contributions from the government. This League has taken active part through a committee in this discussion. The members of the classified civil service, many of whom are keenly interested in this subject, are themselves divided on the question, which is the best form of pension. On the whole, it seems to your President wisest to concentrate the activities of the League on the improvement of the civil service itself, through extension of the merit system and faithful execution of all the laws on the subject, and to await the disappearance of the unclassified part of the service before it should itself actively urge the establishment of any pension system whatever.

Some of the most valuable improvements in the civil service of the country have lately been effected in state and city administrations. Indeed, the most advanced work within the last two years has been done there. The best examinations for admission to the civil service have been conducted by state and city commissions. More than

a hundred charters for the commission form of government have now been adopted by American cities; and in a great majority of these charters some provision has been made for putting the city's servants under civil service rules. The new charters are not of even merit in this respect; but in every case the adoption of the new form of government has been accompanied by much public discussion of the advantages of the merit system, and some improvement over the pre-existing municipal service has always been secured. The local associations which make up this national League have profited by these opportunities, and by all the discussions of state civil service which have sprung up within their respective territories.

For the successful performance of the important functions which are in plain sight, this National Civil Service Reform League now needs a larger annual income, a more numerous staff in the secretary's office, and a greater number of earnest individual members from all over the country, and particularly from those states which have not yet exhibited much interest in the cause of civil service reform. The potential usefulness of the League has never been so great as now. The opportunities for beneficent achievement which lie before it are greater than any the past has offered. The evils against which it is now contending are as threatening as any it has ever met; and now, as heretofore, the reform which this League urges is the fundamental reform, underlying all other improvements in the conduct of public business.

## Report of the Special Committee on Promotions.

To the Council:

Although the civil service law has been in force since 1883 in the federal service, no systematic and uniform method of dealing with promotions has been introduced. Promotions have been left to the heads of departments to be made in their discretion, or regulations applying only to one department or office have been drawn up with the approval of the civil service commission; but the administration of such regulations has been confided entirely to department heads.

A promotion system is essential to the development and success of the service, and such a system must apply to the higher as well as to the lower grades. It is essential in order to attract men of the right calibre to the service, and in order to provide them with sufficient incentive to remain in the service and give to it their highest mental efforts with a view to making it a life career. The evil effect of the lack of a promotion system and of filling the higher administrative positions through political patronage, is clearly seen to-day in the excessive number of resignations which in 1907 reached as high as 15,289, and during the last year 11,153. It is well recognized that it is the best of the new appointees who resign after a few years of service and at the period of highest usefulness to the departments, because private business offers them better opportunities of promotion and a more satisfactory career. One marked result of the introduction of the competitive system has been that it has produced men of such high capacity that they are willing to remain but a short time in the classified service, circumscribed as it is at present.

Conditions, both social and political, are so far different in foreign countries, that it is impossible to fol-

low European precedents in devising a promotion system for the United States service. The plan followed both in England and in Germany of creating separate and distinct classes within the civil service, with practically no opportunity to advance from a lower to a higher class, would be regarded here as undemocratic. Such sharp class distinction is decidedly inadvisable in this country. A system can certainly be constructed which will provide that men of sufficient education and personal initiative shall reach the higher administrative positions before they have passed the age of highest mental activity, and will at the same time allow the advancement to the highest posts of those who having entered the service at the lower grades prove their capacity to fill the higher.

To accomplish this, new legislation is necessary, to open the higher administrative positions to classification. Under the civil service law as it now stands, positions appointment to which is subject to confirmation by the Senate cannot be classified without the consent of the Senate. These unclassified positions now include the administrative posts of chiefs of bureaus and the lower assistant secretaries in the departments in Washington, and first, second and third class postmasters, collectors of customs and internal revenue, marshals, commissioners of immigration, etc., outside of Washington. All these positions are purely administrative and have nothing to do with determining the policy of the government; all of them should be removed from politics through classification for examination at entrance and systematic promotion.

The objection that competitive examination is not suited to the filling of positions of such high character cannot be sustained in the light of present experience. New methods of examination have been introduced which are everywhere proving their sufficiency as tests of administrative ability. Candidates are judged not on written answers to set questions, but on experience, on proof of the character of the work they have accomplished, on their standing and reputation. Oral examinations in which the candidates are cross-questioned by competent experts are more and more resorted to. By such methods the

positions of supervising architect of the treasury department, state librarian of New York, city librarian in Chicago, bank examiners, transfer tax appraisers and assistants to the attorney-general and to city corporation counsels have been successfully filled. When these tests are supplemented by a probationary period of sufficient length they form the most satisfactory method yet devised for filling high grade positions.

For a promotion system based on examination applicable to the present classified service, there is sufficient authority in the civil service law.

Section 7. That after the expiration of six months from the passage of this Act no officer or clerk shall be appointed, and no person shall be employed to enter or be promoted in either of said classes now existing, or that may be arranged hereunder pursuant to said rules, until he has passed an examination, or is shown to be specially exempted from such examination in conformity herewith.

Although this clause might possibly be construed as merely requiring that no one should be promoted who had not at entrance, or at some subsequent period passed an examination, this seems to us a forced interpretation contrary to the spirit of the act. The civil service commission has held that "it is the intention of the law that to be eligible for promotion to any class or place, the applicant must have shown fitness on examination appropriate for that class or place" and this construction has been upheld by the attorney-general. (16th report, United States Civil Service Commission, page 100.)

In the report accompanying the Pendleton Bill, which afterwards became the Civil Service Act, submitted in the Senate by Senator Pendleton on May 15th, 1882, the purpose of the bill in regard to regulating promotions is made clear in the following paragraph:

"The single, simple, fundamental, pivotal idea of the whole bill is, that whenever, hereafter, a new appointment or a promotion shall be made in the subordinate civil service in the departments or larger offices, such appointment or promotion shall be given to the man who is best fitted to discharge the duties of the position, and that such fitness shall be ascertained by open, fair, honest, impartial, competitive examination."



strong pressure of public opinion from all parts of the country. This League will do its utmost in support of the recommendations of President Taft.

To promote the transformation of the national civil service into a business-like organization offering a life-career to intelligent and ambitious young people, the League, through a committee appointed for the purpose, has prepared a plan for regulating promotion throughout the service. The work of this committee on promotions has extended over several years, and has involved much study of existing conditions in this country and in the leading countries of Europe. The plan recommended by the committee is believed to be the first thoroughly studied plan adapted to existing conditions in the United States; for today no general rules governing promotion exist, either in Washington or in the civil service outside of Washington, and none have been publicly proposed. Certain departments have regulations concerning promotions; but there is no uniformity in the several departments, and no existing regulations are satisfactory. The committee of the League recommends the introduction of a uniform system of promotion, based mainly upon competitive examination, but in part also on records of efficiency and on seniority. In order to bring into effect any comprehensive system of promotion for merit, additional legislation will be necessary, and particularly a law providing for a re-classification of salaries. Such a bill was introduced by Mr. Gillett of Massachusetts during the last session of Congress, and is on the calendar for action at the present session. The passage of this bill will make possible the adoption of a uniform promotion system. The committee on promotions is strongly of the opinion that neither seniority nor efficiency records should be adopted as the main ground of promotion, but that all candidates for promotion to a given office should submit themselves to the same tests of capacity, and that these tests should relate chiefly to ability to perform the duty of the higher position sought. Since civil service examinations were first established under the Law of 1883, great improvements have been made in the quality and scope of the examinations. These improvements have been made not only in the national service, but in the state and municipal

services; and there is at present no difficulty in conducting competitive examinations, directed with the utmost precision to ascertaining the physical, intellectual, and moral qualifications of a large or small group of candidates for offices which require expert knowledge and skill, as well as for those which require only elementary knowledge, a sound body, and a good character. Examinations for promotion in the higher parts of the civil service will often require expert examiners; and will often include the same kind of examination into the education and experience of the candidates, which any careful person or corporation habitually uses in filling vacancies in a trained staff. The committee on promotions also recommends that all promotions be made for a probationary period, just as original appointments should be. It further recommends that the civil service commission should be given discretion to decide whether a high place in the civil service, demanding executive ability, should be filled through promotion, or through the holding of an original, open, competitive examination, to which employees should be admitted. Through the exercise of this discretion the commission could bring new blood into the system at various stages.

This League would not have it inferred, from the fact that it has presented a plan of promotion applicable to the classified service as it now exists, that it supposes the classified service to have reached its proper limit. On the contrary, it is unquestionably the opinion of the League that all administrative officials, whose work is regulated by public law and by the decisions of their administrative superiors, should hold their positions, regardless of political changes, on secure tenures during efficiency and good behavior. The League cordially welcomes the recommendation contained in the last report of the Secretary of the Treasury that all non-political offices be classified in the competitive service. Only those officers who determine the policies of the government, and their immediate assistants, should be changed to match the changes in the political opinions and sentiments of the people which elections record.

It has been the practice of all the administrations since the civil service law was enacted to make appointments to excepted positions in the classified service with-

clerk to senior clerk; and from senior clerk to the supervisory grade. Under each of these titles or classes a number of salary grades are established, usually \$60 apart, and provision is made for the annual advancement of those found to be up to the standard of efficiency until the limit of the class is reached. Positions of professional, scientific, technical and miscellaneous character are not specifically classified by the bill, but so far as practicable the grades of salaries are to correspond with the grades established for the clerical services. (See Table A.)

The various methods of promotion now resorted to are the following:

(a) *Free Promotion.* This can hardly be described as a system. The head of a department is not trammelled by any rules or regulations in making such promotions as he sees fit. This method is almost universal in private business and is much used in the public service. The fact that it has usually been found to contribute to efficiency in private business by leading to the advancement of those found to be most capable, and by not placing any restriction, in the way of length of service or otherwise, upon the speedy advancement of a man of large capacity, has led many to hold that it should be used in the public service. This is, however, entirely to overlook the fact that efficiency in private business is due, more than to anything else, to the element of private profit, which exerts a greater force than favoritism, nepotism, or political influence. If selected promotion is neglected the private business fails, or falls behind in the competition of the business world. But this cohesive power of private profit is wholly lacking in the public service, and the business of the government is seldom, if ever, carried on in competition with outside business. Again, no corporation, however large, does business on such a scale as the national government, which employs 350,000 men and women in its civil service alone. The need for a just and effective system is consequently greater than in any private business. Finally, the system of free promotion in the public service has been tried, and is still being tried; and it is a very unfortunate.

condition, from the point of view of administrative efficiency, which confronts us under it.

(b) *Promotion by Seniority.* This method prevails to a very large degree in the military and naval services, which are, however, at the present time trying to escape from it, and to substitute for it a system of promotion on proved efficiency. It is also to be found in force, to a considerable degree, in the civil service. Seniority has very slight relation to efficiency, and promotion by seniority, while perhaps one step in advance of promotion by political influence, tends to impair the vitality of the service and kill personal initiative. It is only applicable as a means of discrimination among candidates where other qualifications for advancement are equal, and even then the criterion should not be seniority in service, for mere length of service may be an indication of inability to advance, but seniority in grade or position.

(c) *Promotion on Records of Efficiency.* Theoretically, this would seem to provide for a sound method of advancement and it is the system which appeals most strongly to those who have merely a superficial knowledge of conditions in the public service, and argue mainly from the point of view of experience in private business. As a matter of fact, this system has rarely been found to work satisfactorily in public departments, unless supplemented by a discretion in the appointing officer to depart from the system, and appoint from the outside, or by competitive examination. The element of profit being absent, it is a disagreeable and unprofitable task for the marking officer to discriminate between his subordinates. Again, the marking officer is human, and the mere fact that the record is continuous and entries are made at stated intervals is not sufficient to eliminate the existence of personal preference, favoritism, and outside influence. As it exists today, this system is not uniform, and the chief examiner of the civil service commission, who has seen long service in the departments, is authority for the statement that "the history of efficiency ratings as a basis for promotion in the federal service is that they lapse or become perfunctory." They can doubtless be greatly improved, and made a much more efficient instrument

for guiding promotion than they are now, but they need supplementing and checking. The difficulty with them is inherent; an efficiency record describes the way in which an employee does the work to which he has been assigned; in its very nature, it must be an imperfect test of ability to perform the duties of a higher grade.

We should not for these reasons entirely reject the efficiency record. On the contrary, it can be utilized as a very important element in making promotions if properly conducted. Faithfulness and efficiency in the performance of assigned duty is one important consideration in deciding on advancement to higher duties. In order to make the efficiency records in the federal government perform their proper function, the system should be standardized and made uniform, and placed entirely under the jurisdiction of the civil service commission. The marking for efficiency by immediate superior officers should be subject to review by a supervisory board in order to correct injustice or favoritism, and lastly reviewed by the civil service commission. The records should be open for inspection by the employees, who should have a right of appeal. The commission should have the power to enter the departments and establish standards of efficiency for different bureaus and divisions, and whenever the records are incomplete or unsatisfactory should ascertain comparative efficiency through experts on its own force. An experiment in this direction is now being made by the Chicago civil service commission, which has established an efficiency bureau in its own office to carry out these purposes. Precisely this kind of work is now being done in the government service by administrative experts employed from the outside; but spasmodic investigation is not sufficient, and the government service is large enough to justify the permanent employment of skilled experts to act under the direction of a non-political board, which already has jurisdiction over appointments and promotions.

The forms of efficiency records now in use in various departments and in certain cities under civil service rules are fairly satisfactory, and their improvement is only a matter of detail. To secure the best results we believe

that these records should be marked monthly under each heading by the chiefs of divisions. In order to secure a uniform standard of marking so that employees in one bureau will not find themselves discriminated against when they come into competition with employees of another bureau, and also in order to minimize the influence of personal favoritism or prejudice, boards of promotion should be established in each department and office to revise and equalize the ratings of division chiefs. Each division chief should be required to maintain a blotter upon which he shall make from time to time entries of any significant facts in relation to the efficiency of his employees. The ratings should be based, so far as practicable, on these entries and the blotter should be brought before the board of promotion as evidence in any cause of controversy. The employees should have access to the ratings made by the board of promotion and should have a right of appeal to the civil service commission, which can, if necessary, investigate through its own force. The boards of promotion should meet semi-annually and make their reports to the civil service commission.

It is scarcely necessary to point out the value to the department of these records, for purposes of discipline, reduction, transfer, and weeding out incompetents, as well as for creating a spirit of emulation and subordination. If properly kept and consistently carried out, they would prove invaluable.

(d) *Competitive Examination.* The main advantages of promotion by competitive examination over promotion on a basis of efficiency records are:

(1) That all employees submit themselves to the same tests of capacity;

(2) That these tests have relation to the ability to perform the duty of the higher position;

(3) That the examination can be made to cover more than ability to perform duty in a particular division or section, which is all that is covered by the record and, to a certain degree, can test the candidate's general ability and capacity to make progress. Combined with a system of marking on efficiency

records, it tends to correct the inequalities in rating and the favoritism possible under that system. Just so far as the examination is complete, it submits all candidates to absolute tests of ability to perform the work required, as compared with tests which depend in a considerable degree upon an examiner's individual judgment.

The examination must be competitive if the best results are to be obtained. If the head of the department is allowed to select any of those on the eligible list, on the theory that they are all qualified, political pressure and favoritism are not eliminated, but may be brought to bear in favor of particular candidates. The examination would then, in fact, be non-competitive, and the employees, knowing in advance the person whom the head of department desires to promote and will promote in case he passes the examination, will be discouraged from entering the examination.

#### A PROMOTION SYSTEM FOR THE FEDERAL SERVICE

We have now considered various known methods of promotion and come to the question of the practical application of a promotion system to conditions existing in the federal service. Of these methods "free promotion" must be rejected, as it has been already shown to be unsuited to these conditions. Seniority, efficiency records, and competitive examination all have their value as elements which should enter into consideration in making promotions. The question would then seem to be how they can best be combined?

In our opinion seniority should be made a determining factor in promotion only when the application of other tests of efficiency show that two candidates are practically equal.

Efficiency records as they do not bear directly on the main question—the ability to perform the duties of a higher position—should not be given a preponderating weight.

Competitive examination, as going most directly to the root of the matter and providing an impartial test of

ability to perform the duties of a higher position, should be given at least a weight of 50 per cent.

This is the system of promotion now in force in the New York City service, where more has been done by the civil service commission towards solving the difficult problem of promotion than in any other jurisdiction. It is believed to be giving good results. Parts of the system are still in the experimental stage. In the past it has been found extremely difficult to secure records of efficiency kept by department chiefs which were of real use in promotion inquiries, but boards of promotion have been established in the departments, subject to the supervision of a bureau of promotion in the civil service commission, and better results are now being obtained.

The classified service in the federal government now covers positions ranging in salary from \$660 or even less, to \$2,400. At the top of the classified service are the positions of chief clerks and chiefs of division, most of whom receive about \$1,800. Above these are the unclassified positions of chiefs of bureaus and assistant secretaries in the departments in Washington, and of postmasters, collectors, commissioners, etc., outside of Washington. Under the civil service law these positions cannot be classified, as appointments to them are made by the President, subject to confirmation by the Senate. Any promotion system now introduced, therefore, will not reach higher than the positions of chief clerk and chief of division; and it is not essential to consider in connection with such a system whether it is calculated satisfactorily to provide employees for the higher administrative positions.

In applying a combined system of promotion made up of seniority, efficiency records, and competitive examination to the present classified service, the subject of seniority presents no difficulties for the civil service commission in installing such a system, as it is a matter of absolute record. We have already considered the changes necessary in order to make the efficiency records a proper element in regulating promotions. The board of promotion in the departments and offices might well be composed of one representative of the commission and of



higher officers of the department, detailed for this purpose by the official head. We suggest boards of five members, and in order to secure continuity and the maintenance of standards of marking it would be well to have assigned to it the chief clerk and two chiefs of division,—who as members of the classified service could be expected to serve long terms,—the chief of the bureau the employees of which are to be rated, and the representative of the civil service commission.

In applying competitive examinations, the question has been raised whether they should be scholastic with a view to ascertaining the candidate's general intelligence and education, or whether they should be practical with a view to ascertaining his ability to perform the duties of a particular vacant position. It seems to us that the examination should relate to more than the fixed duties of a particular position, in order that it may bring to the top broad-minded men capable of performing all the various duties included in that grade of work and of progressing to higher grades. Otherwise the promotion will serve only the temporary purpose of filling satisfactorily an existing vacancy, and will not furnish material for further advancement. But it is obvious that the examination should be confined, in the main, to the standard of the grade of positions to be filled and the duties required in that grade, and should not be wholly a scholastic test. In the classified service, as it exists today, men are wanted who can step in and fill a vacancy without serving a long apprenticeship in learning the duties.

Promotion from place to place by competitive examination presents no serious difficulties. The examination deals with the duties of the position of the higher grade. With increases of salary, however, the problem is much more difficult.

It may be theoretically possible to conceive of a system requiring the holding of competitive examinations for each contemplated increase of salary, however small such increase may be, with the provision that the person standing highest in the competition shall receive the increase; but practically this is an impossibility. Examinations must deal with knowledge and, as applied to the

civil service, with knowledge of the duties of positions, but where the increase is small—a matter of \$60, \$120 or \$200—the advancement does not mean a change in duties great enough to permit of the introduction of an examination of higher standard. The attempt to apply this plan has been found in practice to lead to infinite confusion. Men are called upon constantly to pass examinations and such examinations may be of no higher grade than the last taken. As a result the examination comes to be meaningless. It is axiomatic with those who have studied the problem, that if examinations are to be conducted for increases of salary, the salary grades must be far enough apart to presuppose a material advancement in duties from grade to grade, so that standard examinations for each grade can be established. This means usually a change in salary of from \$400 to \$600. Such change in salaries for different classes is provided for in the Gillett re-classification bill between the entrance salaries for under-clerks, junior clerks, clerks, senior clerks, etc. Intermediate grades of salaries may be established for purposes of advancement from year to year. They are desirable; but such increases up to the limit of the examination grade should be on the basis of efficiency records and seniority and not upon examination. Examination grades should, as far as practicable, correspond with the limits of salary for different classes as established by Congress, but the civil service commission should have the power to fix examination periods at those stages at which a material change of duty may be predicated.

#### METHOD OF CERTIFICATION

Owing to the great importance of securing the proper person to be promoted, there are many who contend that the appointing officer should be given a larger scope of selection from the eligible list than in the case of original employment, where the usual rule is that three names shall be certified from which the appointing officer shall select one. To increase the number of names certified, however, is to make the examination more and more non-competitive and thus to allow a greater opening for favoritism

and political influence and to discourage entrance into the examination. We believe that the rule of certifying three names should be preserved in the best interests of the service, but that a greater scope of selection than is usual in original appointments can be advantageously given to the appointing officer by the adoption of a new method. Examinations for promotions should be open to all persons of a particular grade throughout the entire department. From this a department eligible list should be made, and this list should then be subdivided both for bureaus and divisions. Discretion should then be lodged in the appointing officer to ask for a certification from the top of the division list if, in his opinion, it is best to promote a man with experience in the particular line of work required, or if on the other hand he considers the persons on the division list not fully qualified for the position to be filled, he may ask for a certification from either the bureau or the department list and in this way secure a man of broader qualifications.

#### PROBATION

The principle of probationary service is as fully applicable to promotion as to original appointment, although this fact has generally been overlooked in civil service laws. Probation is, in reality, a part of the examination, and, as applied to promotion examination, it is that part which tests in actual service the qualifications of the candidate who has been shown to be faithful by the efficiency record, and to have the requisite knowledge of the duties of the position by the competitive examination. The establishment of the principle that all promotions shall be for a probationary period, to be fixed by the rules, will give all that is needed in the way of a check upon errors in the examination.

The argument will undoubtedly be made against this proposed system of regulated promotion from the lowest to the highest places within the classified service that it contains no provision for bringing new blood into the service of the departments, and will tend to build up a bureaucracy. It must be borne in mind, however, that the classified service at the present day does not reach

the higher executive positions in which it is most important from time to time to bring in a fresh point of view and new methods of administration, in order to prevent the service from becoming crystallized and not open to improvements. Your Committee would not make this system of promotions hard and fast, but would lodge in the civil service commission a discretion to decide whether the higher places, demanding executive ability, can be better filled through promotion, or through the holding of an original open competitive examination, from which, of course, the employees in the department in line for promotion would not be excluded. In the absence of eligibles found competent by promotion examination to fill the higher position, of course open competitive examination would be resorted to. In these two ways new blood and new ideas would be brought into the service at various stages.

A consistent plan of promotion, applicable to all departments and offices inside and outside of Washington, is here presented in its broad outlines. Its practical application to the different branches of the service will require consideration of many details, which it is not profitable for us to enter into. Such details can best be cared for in rules and regulations drawn by persons thoroughly familiar with the exact conditions in the different branches.

#### UNCLASSIFIED ADMINISTRATIVE POSITIONS

In thus presenting a plan of promotion applicable to the classified service as it now exists, your Committee does not wish to be understood as recognizing that the classified service has reached its proper limit, or that the principle of promotion cannot profitably be carried higher. On the contrary, it is clearly of the opinion that the time must come when it will be generally recognized that administrative officials not connected with the policy of the government, such as postmasters, collectors of customs, collectors of internal revenue, commissioners of immigration, etc., outside of Washington and heads of bureaus in the service of the departments in Washington, should hold their positions regardless of politics and should be

placed on a secure tenure during efficiency. When this time arrives these positions can unquestionably be best filled through the promotion of persons, who in addition to possessing capacity to fill them, shall have enjoyed a sufficient degree of departmental experience. The natural result of a system of regulated promotion, is, however, to confine original appointments in all but exceptional cases to the lowest grades, all the higher grades being filled by promotion, and it is open to question whether these higher executive positions now unclassified can in a majority of instances best be filled through the advancement of persons who originally entered the service as \$900 clerks.

To meet this situation we think it would be well to adopt, in part, the plan which has worked so successfully in England of dividing the service into a higher and lower grade and placing the higher administrative positions now unclassified in the United States service in the upper grade. There would be but few positions in the upper grade and these would be mostly confined to the departments in Washington; for positions outside of Washington, now unclassified, such as postmasters and collectors (with the possible exception of those in the largest cities) could be satisfactorily filled by promotion. But within the Washington departments are a number of high grade positions such as chiefs of bureaus and the lower assistant secretaries which demand a high degree of executive ability and frequently special training.

For the filling of these positions in the upper grade we recommend the holding of high grade educational examinations on a par with university examinations, open alike to persons in the service in line for promotion, not over 40 years of age, and to persons not connected with the service, not over 25 years of age. The examination should be an open competition held in all parts of the United States. Those standing highest in such examinations should be appointed to serve as apprentices in the department in positions as assistants to chiefs of divisions, bureau chiefs, and assistant secretaries, and during the two years following their appointment they should be subject to frequent transfer so that they may become

thoroughly familiar with department methods in different branches. After a two years' apprenticeship they should be subject to a further examination dealing with departmental methods of administration and as a result of this examination should be promoted as vacancies occur to positions of chiefs of division and higher positions, or else dropped from the service.

If these examinations for entrance to the upper service are held annually they will continually provide for the infusion of new blood at the needed points, and will serve as a constant incentive to men who entered the service at the lower grades to seek a broader education with the chance of aspiring to the most responsible and highest paid non-political positions in the United States government.

Respectfully submitted,

CHARLES W. ELIOT, *Chairman*;  
JOSEPH P. COTTON, JR.,  
RICHARD H. DANA,  
WILLIAM DUDLEY FOULKE,  
ELLIOT H. GOODWIN.

*Special Committee on Promotions.*

TABLE A.

## CLASSIFICATION OF SALARIES UNDER THE GILLETT BILL.

*Supervisory Grade.*

SUPER- VISORY.	Chief clerks.	
	Chiefs of divisions.	\$4200
	Others performing supervisory, executive and administrative duties to be specifically estimated for.	to \$2100

*Clerical Grades.*

I. SENIOR CLERKS.	Largely supervisory or highest order of clerical ability involving much original thought, consideration and investigation.	\$2100
		\$1980
		\$1860
II. CLERKS.	Routine work involving responsibility, special ability and original thought, consideration and investigation.	\$1740
		\$1620
		\$1500
III. JUNIOR CLERKS.	Routine, little original thought, or consideration, but requiring judgment, responsibility and special skill.	\$1380
		\$1320
		\$1260
IV. UNDER CLERKS.	Simple and routine work, requiring care, accuracy and skill.	\$1200
		\$1080
		\$1020
		\$ 960
		\$ 900

*Sub-Clerical Grades.*

I.	Not clerical or mechanical, requiring special skill or personal responsibility, as messengers, watchmen, skilled laborers.	\$ 840
		\$ 780
		\$ 720
		\$ 660
II.	Rough and unskilled work, as laborers generally.	\$ 660
		\$ 600
		\$ 480
III.	Youthful employees engaged in light work, as messenger boys.	\$ 420
		\$ 360
		\$ 300
IV.	Requiring only part time each day, as charwomen and janitors.	\$ 360
		\$ 300
		\$ 240

## Discussion of the Report of the Special Committee on Promotions.

**George R. Wales, Chief Examiner United States Civil Service Commission:**

The principles of the civil-service law have become so closely and securely woven into the fabric of our national government that few, if any, will contend for anything other than merit as a basis for promotion.

Questions begin to arise and opinions begin to diverge when there is consideration of a means of arriving at the comparative merit of employes, or, to phrase it differently, when there is consideration of what shall be accepted as showing the relative claim of employes to promotion.

In seeking a solution of the promotion problem in the federal service the difficulties that have arisen and received consideration have been chiefly confined to the general clerical force, this force comprising a large share of the personnel and assigned to duties of a general and diversified character.

Again, those who have given any considerable thought and study to the conditions existing in this immense force of employes—many times greater than that of any public or private corporation within the borders of the country—will concur in the view that the subject of further improvement in promotion methods is one worthy of the best efforts of the friends of business administration in governmental affairs.

Before the establishment of a merit system for entrance to the federal classified service there naturally was no such question as the promotion question, because then many appointments were admittedly made upon the basis of favoritism, political or otherwise, and the amount of salary an employe could obtain depended largely upon the degree of influence he could command. After the passage of the civil-service act, as groups of clerical posi-



tions became classified from time to time, vacancies were required to be filled from those who passed highest as the result of competitive examinations. Clerical positions have been added gradually to the classified service, both by legislation and executive order. Generally speaking, the occupants of the positions at the time of classification were retained and brought into the classified service with their positions. Inclusions by legislative enactment or executive order have aggregated far less than the number of clerks appointed through competitive examination, so that the proportion of clerks who have come in as the result of competition is constantly increasing. Without any further inclusions of clerks in the classified service by legislation or executive order, eventually those who have entered the service through competition will comprise the entire clerical force.

Before the civil-service act became effective, persons obtaining their positions through influence usually retained them only during the public life of the person who secured their appointment; and after such persons were included in the classified service, it was perhaps to be expected that, having obtained their original appointment as the result of favoritism, they should endeavor to secure increase of pay in the same manner. Persons who entered the service under the patronage system naturally do not have, nor can they have the same sympathy and respect for the proper observance of the principles of the civil-service law as have those who come in as a result of its provisions. While it would be a difficult matter to ascertain accurately, it would be interesting to know what proportion of the attempts to secure advancement upon political favor have been made by those who were covered into the classified service without examination. Senators and representatives are often not aware of the appointments of their constituents through competition under the civil-service act, this being evidenced by the fact that members of Congress ask the commission for statements showing the appointees in Washington charged to their districts; and such requests are sometimes accompanied with the statement, that so far as known to these members of Congress, none of their constituents have been appointed, when, as a matter of fact, the

records show a very considerable number of such appointments.

All of these conditions suggest that a very large majority, if not practically all, of the attempts to secure preferment in promotion by means of political influence have been made by persons who secured their original appointments in the same manner, and not through examination under the civil-service law. As the proportion of such persons in the service decreases and their places are taken by those appointed under the merit system, it is clear that political considerations must have less and less to do with promotions.

It has been suggested that any impression that improper influence is still a factor to any great extent in promotions is due to the more or less prevalent habit of clerks who fail to be promoted to complain and charge that the clerks who are promoted receive their promotions for such reason. Speaking of present conditions, the chief of the appointment division of one of the larger departments says:

"Too much importance should not be attached to charges made by disappointed employes that promotions are made through political influence or favoritism of any kind. It is barely possible that there may be an occasional instance in which an employe may be recommended by a chief of bureau on account of some personal or political influence, but in the great majority of cases, practically all of them, the report and recommendation of the chief are based upon merit."

The belief that the exercise of influence in promotion is frequent at this time receives color from the fact that many senators and representatives in Congress through courtesy to their constituents make inquiries in their behalf.

In this connection reference may be made to section 10 of the civil-service act:

"That no recommendation of any person who shall apply for office or place under the provisions of this act which may be given by any Senator or Member of the House of Representatives, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under this act."

Also, to section 3 of Civil Service Rule XI:

"No recommendation for the promotion of a classified

employe shall be considered by any officer concerned in making promotions, unless it be made by the person under whose supervision such employe has served; and such recommendation by any other person, if made with the knowledge and consent of the employe, shall be sufficient cause for debarring him from the promotion proposed, and a repetition of the offense shall be sufficient cause for removing him from the service."

and again, to the Executive Order of January 25, 1906:

"All officers and employes of the United States of every description, serving in or under any of the executive departments or independent government establishments, and whether so serving in or out of Washington, are hereby forbidden, either directly or indirectly, individually or through associations, to solicit an increase of pay or to influence or attempt to influence in their own interest any other legislation whatever, either before Congress or its committees, or in any way save through the heads of the departments or independent government establishments in or under which they serve, on penalty of dismissal from the government service."

It is evident from all available testimony at hand and from existing conditions, that promotions are affected less and less by considerations of favoritism. Especially noteworthy in this connection is the marked change of attitude toward the personnel of the service on the part of appointing officers, on the part of members of Congress, and, probably to a less extent, on the part of the general public. The service is no longer looked upon as merely so much plunder. Employes are not, by reason of the fact of being in the service, regarded by members of Congress as constituents to whom they may look for political aid; more and more is service for the government looked upon as a business proposition.

As illustrative of sentiment among departmental officials, there may be cited the non-partisan and businesslike investigation of the personnel by some of the departments, with practical results in the way of removals and demotions of the inefficient and corresponding promotion of the efficient—and this, too, without apparent regard for political considerations and without apparent interference on the part of persons with political influence. An official in one of these departments

whose position brings him in immediate contact with every change in the personnel of the department, recently made the following statement:

"In my seven years of service here, during which period thousands of promotions have been made, I can recall only five or six cases in which it occurred to me that possibly personal, social, or political influence might have been the controlling factor. Of course it is entirely possible that an investigation of these cases would have shown my conjectures to have been unfounded.

"Under the promotion system which now exists in this department political, personal and social influences, as well as personal favoritism, are eliminated, thereby insuring promotion solely on merit."

Again in one of the departments during the present administration, of the fifteen positions outside the classified service filled by presidential appointment, thirteen were filled by the promotion of persons already in the service. In this connection a long list of cases could be cited of selection from the classified service for appointment to high administrative positions, with all of which, however, members of this body are fully familiar.

An administrative official of a large department who has had many years of highly responsible and diversified government duty, demonstrated to the satisfaction of the head of his department that a certain division is to-day doing satisfactorily 80 per cent more work than ten years ago, and with fewer employes.

Of course, some of this improvement may be credited to better methods, but after all, this could only be possible under a successful operation of the merit system, both in original appointment and in promotion and as a result of the effect of such operation upon the efficiency of the force.

The advanced state of public opinion in respect to the merit system is reflected by President Taft in that part of his recent message to Congress relating to the civil service.

The very interesting report of your committee on promotions covers suggestions and topics that have been subjects of careful study and earnest consideration on the part of the federal civil service commission

and also by the departments. Some two or three years before the proposed plan of reclassification was actually formulated, the civil service commission in its annual reports urged a reclassification of the service upon the basis of duties performed, and has since been an active agent in all the steps that have been thus far taken toward its accomplishment. The important result of all this consideration is the gratifying unanimity of opinion in favor of a reclassification of the service squarely upon the basis of duties performed, with particular reference to the existing clerical grade. Such a reclassification is represented in what is known as the Gillett bill, favorably reported to the House at its last session.

Preliminary to any effective forward movement in improving the personnel of the departments is reclassification. It is the first essential step toward bringing about greater efficiency and economy, the object of which is to compensate employes according to the duties they perform. It is of utmost importance, therefore, that all efforts to bring about results earnestly desired by every friend of sound business government, namely, the selection for promotion of the most efficient, should be based upon this plan of reclassification. After the necessary legislation is secured, then must follow a very careful application of such reclassification plan, that is, a careful readjustment of existing organization of the service. To put such a reclassification into actual operation will mean some very radical changes in existing organizations of personnel. When such readjustment has been actually accomplished, conditions obtaining in the service may be so changed and points of view may be so altered that it is difficult at this time to do much more than speculate as to further steps to be taken.

The very fact of readjustment of the service under the reclassification plan can but operate to the betterment of the service. For example, whenever a promotion were proposed, the departments could be required to report to the commission the exact duties to which the employe would be assigned in his new position; and the commission would thus be able to know whether such an employe

had passed the examination prescribed for entrance to positions having that character of duties, and could also determine whether the duties of the position to which the person was to be promoted were of the kind described in the classification act, and therefore to be compensated in accordance with that act. All this could be done under and in keeping with existing civil service rules with little, if any, added machinery or force.

Familiarity with the present classification of the federal service is presumed, under which the term "class" refers to grouping by compensation and the term "grade" to grouping by duties. You are doubtless also familiar with the proposed reclassification of the existing general clerical grade, whereby such grade is subdivided into under clerks, junior clerks, clerks, and senior clerks, each subdivision having several classes or rates of pay.

One of the matters that may be profitably speculated upon in the consideration of promotions within the clerical grade is whether, under the subdivisions of the existing clerical grade as outlined in the proposed reclassification of the service, such subdivisions of the general clerical grade shall be thereafter treated as separate examination grades; that is to say, whether to each of the proposed subdivisions of the existing general clerical grade a different examination shall be provided for original entrance. If such subdivisions should be so treated, then promotion from one subdivision to the next, under existing provisions of the rules, could be subject to a competitive test consisting of the examination provided for original entrance to the next subdivision, combined with the efficiency of the competitors in the subdivision in which they have served, in like manner as in promotions from the subclerical grades to the clerical grade at this time. There are objections, however, to providing different promotion examinations for each subdivision of the clerical grade which will have to be carefully considered. It has been urged that after a person has entered the position of under clerk, for example, as the result of a competitive mental test of the degree of general intelligence necessary to entitle a person to a

trial or probation in clerical work, it is not in harmony with the principle of promotion of the most efficient to require a further academic test for promotion to the position of junior clerk, because not infrequently the under clerk who actually demonstrates by his work that he is the best fitted for promotion to junior clerk is the one that may fall below several others in such test. In the earlier years of the operation of the civil-service law one of the commissioners stated before a congressional committee that a written examination for passing from one grade of clerk to another had been tried, and, in his opinion, had proved a failure.

It might, however, be in keeping with the principles of the merit system to accept an under clerk's satisfactory record for promotion as the equivalent of the examination provided for original entrance as junior clerk, and thus it might be found desirable to establish different examinations for original entrance without requiring mental test in promotion.

And this suggests a consideration of the methods of recruiting the service.

Some of the bureaus in the departments at Washington are organized upon the principle of giving the persons brought in at the lower grades and salaries the fullest opportunity to go to the top in their line of work; at the same time, original entrance is provided at different grades up the line, but a position in one of the higher grades is never filled by original appointment so long as a person can be found in the lower grades as well qualified as persons obtainable by original appointment. We have here in actual practice the plan of bringing in new blood elsewhere than at the bottom, whenever the new blood is found to be better than that in the lower grades.

Closely related to reclassification and competition of clerks for promotion is the difficulty of attempting to compare efficiency of two or more clerks not engaged upon substantially the same class of work. It is clearly out of the question to compare the efficiency of employees engaged upon distinctly different kinds of work; in any consideration of relative efficiency of employees it is manifestly unfair to credit or discredit

a clerk solely because of the nature of his assignment. This difficulty was voiced by a distinguished ex-commissioner when he said, in speaking upon this subject: "It is like a county fair. You cannot make a competition between a racehorse and a shorthorn bull, as the test will not apply. You can have a test for a racehorse and a test for a shorthorn bull."

Under existing requirements of the civil-service act and rules, and in fact since the establishment of the system, separate examinations are provided for original entrance and for promotion to grades or positions requiring different degrees of general intelligence, scholastic attainment, or technical knowledge, as the case may be. Positions in the classified service, consequently, group themselves naturally under examination grades. When a person is proposed for promotion to a position for which a different examination is provided, he must qualify in the examination or its equivalent provided for that position, in addition to and really separate from any consideration of his efficiency record. In many, and perhaps most, cases of promotion from one examination grade to another there are so few employes to be considered that there is little, if any, competition. For many years the commission has provided competitive tests for promotion from one grade to a higher grade, as in promotions from the subclerical grades to the clerical grade, the test in this instance consisting of the examination provided for original entrance, combined with the efficiency rating of the competitors in the subclerical positions in which they have served, there being the added requirement that all competitors must attain the passing percentage in the mental part of the examination before they will be given any credit for efficiency. Even here it is interesting to note that the value of a man's efficiency in a sub-clerical capacity has been questioned as a measure of his value for promotion to the clerical grade. An answer to this point, it seems, is that efficiency ratings should not be based solely upon the employe's value as a messenger, for example, but should include consideration of those personal qualities not tested in the examination, but with which



he should be credited or discredited in determining his claim for advancement, thus leaving the test of his clerical intelligence to the mental part of the examination.

A systematic plan for rating efficiency is desirable, provided it is workable and not too complex. It would seem, in any event, that in determining relative efficiency or comparative merit of clerks in competition for promotion chief reliance is to be placed upon the judgment of the person who is in immediate contact with and has intimate knowledge of the work turned out by those clerks, and that person, in the organization of the federal service, is usually the chief of division. This judgment should take into consideration not only the quantity and quality of work performed by the clerks and their general conduct and habits, but also their personal temperament and adaptability—qualities difficult of being tested by inspection by a third party not intimately acquainted with them and with the demands of the position to be filled by promotion.

The chief of division has actual first hand knowledge of the work of the clerks under his supervision. A chief of division who cannot fairly, intelligently and conscientiously arrive at the order in which clerks under his jurisdiction are entitled to promotion is not fit to be chief of division, and the bureau officer should select his chiefs of division with that idea in view. Given chiefs of division who can and will exercise fair and just judgment, the bureau officer has still a difficult task in harmonizing the ratings for the entire bureau. A division chief should be required to record his findings at stated regular intervals, and submit them to the bureau officer. Further, the bureau officer can go far toward harmonizing and coordinating the reports of the different chiefs of division in his bureau by his knowledge of each chief, with whom he comes in daily contact, and by his knowledge of the class of work performed in each division.

Competition for promotion, being practically confined to employes within a bureau, the bureau, or the

bureau officer, may be taken as the administrative unit in the matter of promotions.

It will thus be seen that the head of a bureau is charged with two important responsibilities in the matter of promotion—first, the careful selection of his chiefs of division with special reference to their ability to render sound, competent and just judgment of the efficiency of their employes; and, second, the coordination of the records of employee in the different divisions in his bureau; and in this latter duty any complete system should require that the bureau officer have assistance. If an efficiency record is reviewed, or even scrutinized, by an official or body not belonging to the bureau organization, it will naturally be better made than it otherwise would, and the system will be less liable to lapse or become perfunctory, on the same principle that publicity prevents abuses in public and semi-public corporations.

Closely in this connection comes the important consideration as to just what responsibility and power the civil service commission is to exercise in the administration of a plan of efficiency ratings for promotion, in the way, for example, of reviewing the ratings and auditing promotions and other changes resulting from the system.

It is the practice at present in some departments to require division chiefs to submit efficiency reports to bureau officers for transmission to the head of the department for his information.

Under existing law this practice could be extended uniformly to all departments and could be amplified so that the civil service commission could compare all promotions and demotions with these efficiency reports in connection with its duty in checking all changes in the service under the contemplated reclassification, already pointed out. To give the commission any further power than this, whereby, for example, it would become its duty to revise efficiency ratings, would seem to require legislation. In considering the wisdom of asking for legislation giving the commission power to overrule an appointing officer in the matter of

promotion, careful thought should be given to the serious question of what effect such legislation would have upon the discipline and consequent efficiency of the force, so long as the power of appointment remains vested by Congress in the different heads of departments.

For many months the civil service commission has been giving especial study and consideration to every phase of the promotion subject, and has outlined a plan, not yet complete, for a uniform and standard efficiency procedure for all departments, such plan embodying the salient features now presented by your committee. The commission proposes, when such plan is completed, to submit it to the President for approval, with the hope and belief that when approved it will operate to overcome the material obstacles which still remain in the way to satisfactory promotion conditions.

It is thus seen that progress has been made toward the recognition of merit as the determining factor in promotions in the federal service, that the next and absolutely essential step in such progress is the accomplishment of a reclassification of the service on the basis of duties, which will of itself eliminate many of the perplexities attached to the working out of the problem; and that whatever further steps may be taken must be governed by the conditions as they appear after reclassification and must be carefully considered to the end that the system devised shall be practical and shall not be so constructed as to defeat its own purpose, viz.: efficiency and economy in the service.

**Thomas C. Murray, Assistant Chief Examiner of the New York City Civil Service Commission, in charge Bureau of Promotions:**

Through the courtesy of Mr. Burlingham from whom I received the invitation to address the members of the League on the subject of promotion examinations, I have made a careful study of the report of your special committee on promotion. Your committee has paid high compliment to the methods used in the New York City service and the following remarks will refer chiefly to the practical operation of certain suggestions made in

the report, which are based upon conditions existing in New York City with which I am somewhat acquainted as examiner in charge of the bureau of promotions of the municipal civil service commission.

The arguments advanced and the conclusions reached in the report of your committee are so convincing, in my opinion, that no addition seems to be necessary, but it may be of some interest if these were supplemented by observations based upon an experience of some years, the last two and a half of which have been devoted almost entirely to the charge of promotion examinations.

My remarks will follow in the order of the report, beginning with the various methods of promotion to which reference is made therein.

The methods of free promotion at the discretion of heads of departments and of promotion based on seniority only have been so thoroughly covered in the report, in my opinion, that further argument or discussion seems to be superfluous. In New York City the method of giving the uniformed forces of the police and fire departments men enter the service at a salary of \$800 a year and are advanced automatically at certain periods to higher amounts until they receive finally a salary of \$1400 a year. The increases are given to all whose conduct has been satisfactory, but such increases are not considered a promotion.

The promotion system in New York is based partly upon the record given for efficiency by appointing officers and as the methods used in connection therewith are confined to the service in New York City and are not to the best of my knowledge used elsewhere, a short description may be of interest. As your committee states "a marking officer is human and the mere fact that the record is continuous and entries are made at stated intervals is not sufficient to eliminate the existence of personal preference, favoritism and outside influence." Recognizing these facts, the municipal civil service commission has endeavored to minimize as far as practicable the possibility of abuse in the keeping of efficiency records by the adoption of methods which are simply and easily understood and are believed to be fair to all employed in the city

service. The system is in the main uniform throughout the city and is under the direct control and supervision of the commission. The expense of installing and supervising the system has been practically negligible since it has in practical working operation in almost all of fifty-two tionery. Nevertheless, within one year it has been placed to a limited extent in some positions. For example, in increases of salary after a certain length of service is used entirely separate departments, with offices situated in all parts of the city. Before the end of the present year it is expected that the system will be in operation in all departments as is required under the municipal civil service rules. The following is an explanation of the system:

In order to insure uniformity throughout the City books for the keeping of efficiency records were printed under the direction of the Municipal Civil Service Commission and distributed to all Departments. The entries made in these books have reference to (1) quality of work performed by each officer or employe (2) the quantity of work performed by him (3) his general conduct (4) his executive ability and capacity for initiative, where his work is of a character that will permit definite estimation and (5) his punctuality and attendance. There is also shown the average general efficiency of employes which is based upon the first four of these items.

The rules direct that on or about the first day of January, April, July and October the administrating officer most closely in touch with the work of employes shall transmit a report to the board of promotions of their department giving an account of their efficiency and punctuality for the preceding quarter. The board of promotions, which consists of not less than three superior officers or employes in the department, is established for the purpose of passing upon the comparative efficiency of employes in all bureaus or other sub-divisions so that the terms indicating degrees of efficiency shall have the same meaning throughout a department. Its members are designated by the appointing officer, subject to confirmation by the municipal civil service commission. Owing to the different conditions existing in the several departments, it was deemed advisable by the commission that no established form would be necessary for the

reports to the board of promotions. A suggested form of report was sent to the several departments, which is now in general use. This consists of two sheets, making four pages. On the first page is given the instructions as to filling out reports, as follows:

DEPARTMENT OF .....

City of New York.

Borough.....

Bureau.....

Date.....

Instructions as to filling out Reports.

1. When employes have performed their duties faithfully and intelligently and it would not be fair to discriminate among them, enter their names on the first page.

2. If, in your opinion, an employe has been noticeable for marked efficiency enter his name on the second page. Give full particulars regarding the conduct of such employe, thus showing that your opinion is justified. Do not make indefinite statements. If you do, your recommendations will have no weight with the Board of Promotions.

3. Do not attempt in any case to give rating in the terms "A," "B," "C," etc. These items are determined solely by the Board of Promotions of this Department.

4. It should be remembered that out of twenty-five employes, possibly four or five would deserve to receive special mention on page 3. If many employes are considered by their immediate superior officer to be distinguished for exceptional efficiency, the Board of Promotions will assume either that the judgment of the superior officer is at fault or that the standard of efficiency in the institution or office is low and make their rulings in accordance.

5. The quarterly reports are the sole means by which the Board of Promotions of this Department can determine the relative efficiency of employes and are subject to review by the Municipal Civil Service Commission. For these reasons care must be taken that they are clear, concise and in absolute accordance with the facts.

(Name) .....

(Title of appointing officer).

Names

.....  
 .....  
 .....

Board of Promotions.

On the following pages the comparative efficiency of all employees is described in the following manner:

Page 2.

The following employees have performed their duties intelligently and satisfactorily. They have been regular in their attendance and no charge of any kind has been preferred against them:

Name	Position
.....	.....
.....	.....
.....	.....

Page 3.

ADMINISTRATIVE OFFICERS WILL GIVE PARTICULARS AS TO THE  
SUPERIOR EFFICIENCY OF ALL EMPLOYEES WHOSE  
APPEAR ON THIS PAGE.

The conduct of the following employees has been distinguished for marked intelligence and zeal in the performance of their duties as particularly described below:

Name	Position
.....	.....
.....	.....
.....	.....

Page 4.

ADMINISTRATIVE OFFICERS WILL GIVE PARTICULARS AS TO THE UN-  
SATISFACTORY CONDUCT OF ALL EMPLOYEES WHOSE  
NAMES APPEAR ON THIS PAGE.

Name	Position
.....	.....
.....	.....
.....	.....

When all reports are received from the immediate superiors of employees, the board of promotions meets to pass upon the term to be used in indicating the degree of efficiency of each employe. The bureau of promotions of the municipal civil service commission has direct supervision over the efficiency records kept in departments and the following extract from a circular letter which was

sent to all appointing officers under date of March 15, 1910, will explain the meaning of the terms used in indicating degrees of efficiency:

The following terms are employed by the Board of Promotions to indicate the degrees of efficiency: (A) Far above the average; (B) above the average; (C) average; (D) below the average; (E) far below the average.

The employees whose names appear on the second page of the report described above should be given a rating of C (average) on all items for the reason that their work has been satisfactory and it would not be fair to discriminate amongst them. It should be understood that the term "C" indicates the average satisfactory work expected from an employee. It does not mean "Fair" or "good" as distinguished from "very good" or "excellent." The latter terms are not considered in rating efficiency records but this fact does not seem to be generally understood.

Where employees' names appear on the third page of the report they are considered by their superiors to have performed better work than the average. The reason for such belief should be stated specifically. The Board of Promotions should not accept indefinite statements. For example, the statement that John Smith is far above the average in his general conduct, would not in itself give sufficient information for an intelligent estimate of the candidate's efficiency. However, if it were stated that John Smith was at all times absolutely accurate in his account and that he did more work than the average clerk in the office, it would be fair to assume that he deserved the term B (above the average) on the items, "Quantity of work" and "Quality of work." If it were still further stated that he did the work performed better than any other clerk in the office, it is reasonable to assume that he deserves the term A (far above the average) on these two items. If it were stated that he was noticeably courteous and obliging he might be given the term A or B, as circumstances would warrant, on the item "General Conduct." If it were stated that he was very quick of apprehension in grasping or introducing new methods or in taking charge of certain work, due credit would be given to him on the item "Executive Ability and Capacity for Initiative." On the latter item it is, however, not necessary to give a rating unless his work is of a character that will permit of definite estimation. For example, under ordinary conditions it would be meaningless if an Office Boy or Typewriting Copyist were given a rating on this item.

The fourth page bears the heading: "The conduct of the following employes has not been satisfactory, as particularly described below. The same methods should be followed as in the case of employes whose names appear upon page 3. The report should give the particulars of the conduct of an unsatisfactory employe and the Board of Promotions would make their ruling in accordance.



When the Board of Promotions has decided upon a term to be used for each of the several items comprising an employee's efficiency record, it will decide upon a rating for "Average General Efficiency," for the same period based upon the ratings already given for the several items. The rating for "Average General Efficiency" is left to the judgment of the Board of Promotions since it is impracticable to establish a mathematical basis owing to the varying conditions existing in positions in the several Departments. For example, in certain positions with duties defined by law and to be completed at stated periods, the items "Executive Ability and Quantity of Work" would not be of the same relative importance in determining the rating for "Average General Efficiency" as that of "Quality of Work." In another position where a superior officer was in charge of employes the item "Executive Ability" would be the principal consideration. It would be possible therefore for a person to receive a rating of C (average) on three items on his record and B (above the average) on one item and to merit a rating of B on "Average General Efficiency" if the item on his record for which he was given a rating of B was considered the chief requisite for the kind of work in which he was engaged. The Board of Promotions should be the best judge of conditions existing in its own department and should make its rulings in accordance. The reports on which the ratings of the Board of Promotions are based should be placed on file as they are subject to review by the Municipal Civil Service Commission.

The terms to be used in indicating Punctuality are C (average), D (below the average) and E (far below the average). The highest rating is C for the reason that it is assumed that the average employe is punctual and regular in his attendance. If this is not the case it is clearly the fault of his superiors. If a rating of A (far above the average) or B (above the average) were accepted on Punctuality, it would certainly indicate that the discipline of an office or institution was entirely relaxed since an employe can do no more as to punctuality than to arrive at the time for beginning business and remain until the closing hour and therefore that the average employe did neither. In the consideration of a candidate's record and seniority, by the Municipal Civil Service Commission, the term C will receive the highest rating given. Therefore, where a candidate has arrived at the appointed time and has remained until the close of business and has not been absent without permission, he should be given the term C, indicating average. Where a candidate has been late several times during the quarter or has been absent without permission or without being excused he should be given the term D, indicating below the average. Where a candidate has been late for business repeatedly or has been absent several times without permission or excuse he should be given a rating of E, indicating far below the average.

When the Board of Promotions has considered the records of all employes the appropriate entries are to be made in the Efficiency Record Books."

In order to supervise the keeping of records and to give any needed instructions, an examiner was designated to visit all departments. From April 6th to November 30, 1910, he made 290 visits to the 52 city departments in which he carefully inspected the efficiency records and also the reports upon which such records were based. After each visit, a detailed written report was submitted to the examiner in charge of the promotion bureau showing exactly what progress had been made in installing the system, what instructions had been given and what new questions had arisen upon which the bureau should decide. Additional safeguards were thus adopted as the practical workings of the system showed their necessity. These included the keeping in permanent form of the minutes of the board of promotions, the stamping with a time clock of all reports received from administrative officers not permitting any change or erasures in the efficiency record book except such change was attested by the initials or signature of the chairman of the board of promotions, and regulations of a similar nature as were deemed advisable.

The visits to the several departments and all matter in connection therewith take but a small part of the time of the examiner who makes them and of the examiner in charge of the Promotion Bureau, but nevertheless all departments are constantly under the direct supervision of the municipal civil service commission, and, in my opinion, a large force of examiners or inspectors would be entirely unnecessary.

After the entries are made in the efficiency record book, it is directed by the rules that they shall be open at reasonable times to any officer or employe whose conduct is noted therein. The reason for this provision is obvious and it is plain that there should be no objection to this procedure on the part of heads of departments, provided the records honestly represented the comparative efficiency of employes.

During the month of October of each year a transcript showing the comparative general efficiency and punctuality of all employes in the competitive class is to be sent to the municipal civil service commission on blanks which are provided for the purpose. The transcripts are

simply official copies for the entries which appear in the efficiency record book.

It has been deemed advisable to prepare a card system giving the comparative efficiency of each city employe in all positions held by him in the several departments. The information regarding efficiency will be obtained from the yearly transcript filed by departments. This on a single card will be given the history of each city employe and eventually there will be shown his comparative efficiency in each position held by him, provided he has served in several, and also his conduct in each department in which he has been employed, provided he has been transferred.

This card system has not as yet been entirely completed, but is expected to be in operation within a short time. The only additional expense to the city in the installation of this part of the system has been the purchase of the filing cabinet and the necessary cards.

The above described system of efficiency records is not considered perfect by any means in all or in most of its details. The following claims however are made for it: 1. It is simple and easily understood. 2. It has been proven to be practicable. 3. It is a check upon personal favoritism since no one person gives the rating for efficiency. 4. It is directly under the supervision of the municipal civil service commission. 5. It affords ample opportunity for an employe who considers himself unjustly rated, to appeal, without revealing his identity to his superiors, to an impartial body, the municipal civil service commission. 6. It is a means of mathematically arriving at a percentage rating for comparative record and seniority in promotion examinations as will be shown below.

In examinations for promotion record and seniority count 50% and the mental examination counts 50%. Consideration is given only to seniority in the grade or position to which an examination is open and is limited to a stated length of service which depends upon the position. The method of rating record and seniority is as follows in all examinations excepting the uniformed forces of the police and fire departments:

All applications for examinations are made upon

blanks furnished by the municipal civil service commission. Upon this blank there is a space upon which the comparative efficiency of the candidate is entered by a clerk in charge of the efficiency Record Book who certifies over his signature that the transcript is correct. It is countersigned by the head of the department and is then filed with the commission.

The methods of arriving at ratings on efficiency and punctuality are based upon the following assumption:

1st: That a definite time is fixed in which it is reasonable to suppose that an employe of average intelligence would learn all the duties of the grade, and that seniority be based upon such a period as a maximum.  
2nd: That with this time fixed as a maximum for seniority, a candidate who has received for every quarterly period the term A, indicating that his degree of efficiency in his duties has been far above the average for every quarterly period deserves 100%. In the same manner a candidate who has received all B's indicating above the average deserves 90%, all C indicating average 80%, all D indicating below the average 50% and all E indicating far below the average 40%. The minimum is placed at 40% since an employe whose conduct has deserved a lower rating should not be in the Department. On this theory a candidate who receives 100% has gained 30% in the maximum time taking 70% a passing mark as a starting point. For every quarter in which he receives the term A he is given credit for a proportionate share of the 30% earned under the term A for maximum length of service. For example, if the maximum seniority is 5 years in which there are 20 quarters, in one quarter a candidate who receives A will have earned 1.5%. The same method is applied for all the terms indicating degrees of efficiency.

For punctuality the same method is employed. An employe who has received the average in punctuality indicated by C for the maximum time to be rated deserves 100% since he has been punctual and attentive to business during all this period. Below the average during all the quarterly periods is given 50% and far below the average 30%.

On this basis all records are rated mathematically and simply by the following tables:

Five years in grade maximum—Last 5 years only to be rated.

Efficiency.

Beginning at 70%.

For each quarterly	A add	1.5%
"	B "	1.
"	C "	.5
"	D deduct	1.
"	E "	1.5

Punctuality.

For each quarterly	C add	1.5%
"	D deduct	1.5
"	E "	2.

For computing rating of record. Efficiency weight, 8  
Punctuality, 2.

For a maximum of ten years' service, one-half of each of the foregoing items would be added or deducted. Under this system of rating, at the end of a maximum period of service candidates who have merited all A's on average general efficiency will receive 100%, all B's 92% and all C's 84%, provided they have merited the term C on punctuality.

The nature of the position for which the examination is held determines the maximum length of service allowed for seniority. For example, in the clerical service 5 years is the maximum since it is reasonable to assume that a competent clerk would learn fully all the duties of the grade in that time and that to give credit for any longer service which would not in any way add to his value as a clerk would unjustly handicap other candidates of greater ability. In an examination for promotion to assistant engineer in the civil engineering service, however, it is reasonable to assume that a transitman of ten years' experience might possibly be better qualified to fill the position than a person who had served for a lesser period, and therefore for this and for similar positions a maximum of ten years is considered. In a word, it is the practice to recognize seniority to the degree only that the experience gained by such seniority of service appears to be of value for the position to which promotion is sought. In the above outlined system it will be noticed

that in cases of unsatisfactory service, seniority counts against a person's rating on record.

The system of efficiency ratings in use makes it possible for an employe whose efficiency is considered far above the average for extended periods to enter a promotion examination upon equal terms with one whose efficiency is considered average but who may have served for a much longer time in the grade. For example, in a position where five years is the longest seniority considered an employe whose efficiency has been considered average during all that time earns 84% on the maximum time of service. An employe whose efficiency is considered far above the average earns 85% in two years and six months. Therefore the rating for seniority depends not upon length of service only but also upon the comparative efficiency of employes during that period.

The above outlined methods agree in the main with the suggestion made by your special committee. The only difference is the following: Your committee suggests that the division chiefs enter the efficiency records of employes monthly and that the boards of promotion meet semi-annually and make their reports to the civil service commission. In the methods used in New York city the entries are made under the direction of the board of promotions, who meet at least quarterly, and who send an annual report to the civil service commission.

The above system is not considered to be adapted for use in promotion examinations in the uniformed forces of the police and fire departments for the reason that their actions and conduct under practically all circumstances are directed by established rules for the violation of which charges are preferred against them. Therefore, in the absence of charges, it is assumed that their conduct and efficiency are satisfactory. In rating records for promotion in these departments, a period is fixed for the maximum length of service in the grade to be considered and also a maximum rating to be given for a colorless record or record without either charges of violation of rules or rewards for meritorious conduct. Starting at 80% a passing mark, the candidate is given credit for every quarter served until the maximum rating is obtained. If charges have been preferred against him, a certain

percentage is deducted for each day's fine in the grade, which percentage is fixed by the date of the offence. If he has been officially awarded by his Department a certain percentage is added to his rating on record. The above may be illustrated by the scheme of rating adopted in the examination for promotion to the rank of captain of police which was held on November 21 and 22 of the present year. In this examination it was necessary, under the city charter, and the civil service rules, that a lieutenant should have served at least three years in the rank in order to be eligible for examination.

#### Record and Seniority.

#### Colorless Record.

Beginning with date of appointment as Lieutenant.....	80%
For every additional 4 months in the grade, add $\frac{1}{2}$ of 1%	
or $1\frac{1}{4}\%$ a year, making at the end of 10 years a maximum of .....	95%

#### ADDED POINTS.

Honorable Mention and Medal, add.....	3%
Honorable Mention, add.....	2%
Commendation, add .....	1%

#### DEDUCTED POINTS.

For each day's fine between October 1, 1900, and February 1, 1904, deduct.....	$\frac{1}{8}$ of 1%
For each day's fine between February 1, 1904, and June 1, 1907, deduct.....	$\frac{1}{4}$ of 1%
For each day's fine after June 1, 1907, deduct.....	$\frac{1}{2}$ of 1%
Reprimand to count $\frac{1}{2}$ of 1 day's fine.	
Fines previous to October 1, 1900, not considered.	

The above scheme shows  $10\frac{1}{2}$  points difference between the term of service necessary for eligibility for examination and the longest term considered. This difference can be easily made up in the mental examination by candidates of intelligence as has been clearly demonstrated in other promotion examinations during the past year and a half.

In sub-division D your committee refers to competitive examination. The paragraphs marked 1 and 2 that all employes submit themselves to the same tests of capacity and that these tests have relation to the ability to perform the duty of the higher position, appear to be axiomatic, in my opinion, and need no further argument. In the paragraph marked 3 your committee states that the examination can be made to cover more than ability

to perform duty in a particular division or section and to a certain degree can test the candidate's general ability and capacity to make progress. The New York City municipal civil service rules direct that mental examinations for promotions shall, as far as practicable, correspond in scope, subjects and preliminary conditions to examinations as would have been prescribed for original entrance to the same position, but due consideration shall be given to the particular requirements of the department office or institution for which the examination is held. In examinations which require strictly technical or professional training such as the engineering, the legal and the medical branches of the service, an examination consists of questions designed to test not only the knowledge of the candidates on the general requirements of their profession, but which tend also to show their knowledge of the particular requirements of their own departments. For example, all candidates for the higher positions in the engineering service would receive two papers; one containing general questions and the other pertaining to the particular business on which they were engaged whether it be building bridges or constructing dams and conduits or planning and laying out new streets or building docks. In the legal profession, candidates, in addition to the general principles, are supposed to be familiar especially with Municipal Law as applied to New York City.

In the clerical service, examinations are held along broad lines tending to test a candidate's general intelligence upon matters with which he should be cognizant. A clerk, for example, to pass an examination for promotion to the fourth grade (\$1800 annually) is supposed to be familiar with all the powers and duties of the department in which he is employed, with the general government of the city and the state of New York and with general business methods including those of office discipline and management. He is supposed to be able to write a clear report upon matters with which his department is concerned. The examinations are somewhat searching and in order to pass a clerk must possess a certain degree of intelligence. In a promotion examination among bookkeepers, the candidates are supposed to



of the examinations appeared to be satisfactory. The same methods were used as in promotion examinations from one position to another, but the maximum period of seniority considered in all cases was five years. As the classification is now in effect, it will be necessary to outline subjects of future examinations for the various salary grades as has already been done in the clerical service. As the examinations will include many entirely different branches of the service, this will be an undertaking of some importance, especially as there is no precedent to follow. In a general way, it has already been determined that no strictly scholastic test will be given for any position, that the examinations will be along broad lines appertaining to the duties and the various departmental rules which have been adopted in accordance. In minor positions, where no special training or technical knowledge is required, candidates will be tested as to their general intelligence, as is now the case in promotions in the clerical service.

The conclusions on this subject which have been reached by your committee regarding the proper salary grades, in my opinion, admit of no further argument. Promotions for small increases of salary in the clerical service have been long since abandoned as meaningless in New York City for the reasons submitted by your Committee.

The methods of certification suggested are practically the same as are required by the municipal civil service rules. I have never heard any complaint regarding the fairness of these methods from any employes of the City of New York nor have I heard what seemed to me to be a valid objection from an appointing officer.

The suggestion of probationary service as applied to promotions has not arisen in New York as far as I am aware, for the reason that the appointing officer has at all times the power to reduce an employe to a lower grade upon filing proper charges with the civil service commission, after due hearing.

Regarding the argument that the proposed system

contains no provision for bringing new blood into the service, in addition to the statements made by your committee, in my opinion, the following precautions should be taken:

Promotion examinations should be entirely in line of duty to be definitely fixed by civil service rules. In New York City, promotion is limited to positions in the same part of the classification in which a person is employed, or, in other words, to positions the duties of which are in natural line of advancement. The rules are necessarily strict, and were made so designedly in order to guard against the very evil to which reference is made by your committee. Unless certain definite promotion lines were established, within a short time it would be entirely possible to fill all positions by promotion, and so absolutely bar all persons outside the present city service from entrance except in the lowest grades. Such procedure would be an unjust limitation of competition, in my opinion, and would deprive the city of the services of men who, by outside business or professional training, would prove to be of valuable assistance in the conducting of its business. Promotion rules should be framed so as to give opportunity for new blood to come into the service at all times. Positions should be filled by promotion only when it is clearly to the advantage of the city that this method be followed.

In conclusion, I beg to state briefly some facts which are not given in the report of your committee: The bureau of promotion of the municipal civil service commission was established in August, 1908. The first official action of the bureau was to call a meeting of representatives of all city departments in order to confer with them on promotion methods. Upon invitation of the civil service commission, Mr. Elliott H. Goodwin, a member of your committee, was present and addressed the meeting. When afterwards it was deemed advisable to install new systems and to adopt improved methods, the bureau of promotion at all times had the benefit of his advice and experience. Later on the bureau profited by discussion with and

suggestions from your assistant secretary, Mr. Albert deRoode.

While I am aware that in many respects the systems of promotion which have been described are still experimental, it is an honor and a pleasure to know that in all important particulars they agree with the conclusions reached through the investigation of your learned committee. I appreciate fully also the signal distinction which your committee has conferred upon me through its invitation to take part in your deliberations to-day, and beg to thank your committee for its approval of what has already been accomplished in New York City.

## Politics vs. the Administration of Justice.

HON. WINFRED T. DENISON, ASSISTANT UNITED STATES  
ATTORNEY-GENERAL.

To say to the League what I have to say on this subject, seemed at first the mere carrying of coals to Newcastle, for it seemed that having been a believer in the fundamental principles of civil service reform from my cradle, and having lived for some years in the immediate presence of your secretary, I could not have anything to say which would not be accepted as a matter of course by all upholders of those principles; but in this case, perhaps, I may even "out-Herod" Herod, for the thesis which I offer and propose to defend is that, excepting only positions equivalent to the political cabinet positions of our various governments, national and local, there are *no* legal positions which cannot better be filled by competitive promotion or appointment than by the political system which is the only practical alternative I know of.

In other words, taking the Department of Justice as an example, I believe that the positions of assistant to the Attorney General, assistant attorney general and district attorney can best be filled as a general rule by promotion based upon actual experience; and that the positions of attorney, assistant attorney and assistant district attorney can best be filled either by such promotion or by a proper broad competitive examination involving not merely written tests but various other forms of test which I shall mention.

The only other positions are that of the Attorney General himself, who is, of course, necessarily not within the principle, and that of the solicitor general, as to which I confess some doubt.

If any member of the League can ask more than this I will yield with all possible grace; and if it be said

that this is millennium, I reply that already definite signs of it have appeared.

ATTITUDE OF THE PRESIDENT AND THE ATTORNEY-GENERAL  
TOWARD APPOINTMENTS TO LEGAL POSITIONS.

While I wish it to be distinctly understood that what I have to say in this particular is said purely personally, I feel more confident that the result will be achieved because not only has the Attorney General actually in practice largely applied the fundamental principle, but the President in his recent message has formally announced his profound belief that all administrative officials as distinguished from those responsible for policy should be brought within the classified service. I know that the President and the Attorney General both feel as strongly as can any member of this League the great desirability of divorcing from political control, all positions which are not political, and this principle they have made good to a remarkable degree in their legal appointments.

I appreciate the fact that it is one thing to make appointments and promotions on the merits, without regard to spoils politics, and another thing to install an administrative system established by law, which will perpetuate that policy and hold out the promise of a career progressing from the bottom to the top of the service. The establishment of a permanent statutory system is the ultimate goal and the necessary thing. But we must not disregard the fact that actual elimination of the spoils idea and actual appointment and promotion on merit are very great steps in advance and furnish the best possible basis for the creation of the proper statutory system. Indeed they are sure sooner or later to crystallize automatically into such a system; for the growing tendency of appointive officers to appoint and promote their subordinates on the merits is due partly to the fact that it is fair and right, partly to the fact that it is necessary to the success of the officer's own program and partly to the realization of the state of public opinion on the subject.

It is becoming very plain that the American people are beginning to realize at last the necessity of expert

public officers, and the undemocratic character of the spoils system. The appreciation which they indicated, during the candidacy of President Taft for his expert all-around training in public positions is an illustration of this; so also is their satisfaction in his disregard of politics in appointing, by promotion, a Southern ex-confederate Democrat to be Chief Justice of the United States.

In fact, Attorney General Wickersham has neither made nor recommended any appointments with any view to political considerations excepting where confirmation on the merits appeared to be impossible or otherwise exceptional conditions existed.

I propose now to enumerate to you the chief legal positions in the federal service and to point out how far they have been filled on the merits, without regard to politics. Possibly some of the promotions I shall mention may have been influenced in some degree by political considerations but in most of the instances I know this was not the fact.

The late solicitor general was appointed exclusively from the point of view of his transcendent legal ability, and the successor just nominated to fill the vacancy caused by his lamented death, is a Democrat selected after canvassing the country to find the best possible man for the position on the basis of efficiency solely.

The assistant to the Attorney General, Judge Kenyon, likewise was appointed without regard to any political consideration.

The two assistant attorneys general immediately attached to the Department of Justice, who have been appointed under this administration, were both appointed without regard to politics and by promotion, one having entered the government service as stenographer to the solicitor general, and advanced up through the position of assistant attorney to that of assistant attorney general; and the other having been an assistant district attorney.

The assistant attorney general who represents the government before the Court of Customs Appeals was promoted without regard to politics from the position of assistant United States attorney at New York, where he

had been in charge of the same line of work for twelve years.

The assistant attorney general who represents the government before the Court of Claims entered the department as an assistant attorney, and was from that position promoted under Attorney General Bonaparte to legal positions. The terms of public office are very short in this country, and the law is very long and the two do not fit. Under our defective and absurd legal

The assistant attorney general for the Department of the Interior was promoted from the position of United States district attorney in California, where he had served for three and one-half years.

Of the thirteen men who have been appointed to the position of assistant attorney general since the beginning of President Roosevelt's first administration, eight have been appointed by promotion.

Of the twenty-six attorneys and assistant attorneys in the Department of Justice, nine have been appointed by promotion, a remarkable proportion considering the fact that the source of supply in the lower ranks is very limited.

The President, on the recommendation of the Attorney General, has also just nominated to be United States attorney in the western district of Louisiana a Democrat, and this again from the exclusive point of view of efficiency, and after advising with leading lawyers in that locality to discover who was the best possible man.

The present United States attorney for the District of Columbia was a non-political Washington lawyer, appointed exclusively on his merits, and now making a record which sets a new standard for that office.

The United States attorney for the southern district of New York, which is the largest and most important district, was appointed as a promotion from the position of assistant district attorney, in which he had served with great effectiveness for eight years.

The United States attorney for the northern district of Illinois, which is the next largest among the federal districts and includes the city of Chicago, was appointed

as the result of his efficiency in the position of solicitor for the Department of Commerce and Labor.

In the entire list of United States attorneys now holding office, consisting of 86 men (many of them of course appointed under past administrations), there are thirteen who had previously served as assistant district attorneys, making a very substantial proportion of promotion appointments even in positions subject to confirmation by the Senate.

In the State Department the late councillor, the much beloved Henry M. Hoyt, had entered the government service as assistant attorney general, and had from that position been promoted to be solicitor general. His successor, just being appointed, is a non-political New York lawyer, selected because of his fitness as evidenced especially by his work in the fisheries arbitration at the Hague.

The present solicitor of the Department of State was appointed by promotion from the position of assistant solicitor, in which he had served for four years, and to which he had been appointed without regard to political considerations. The assistant solicitors have been appointed on the recommendation of the solicitor, who has made his recommendations after a canvass of the possibilities solely on their merits.

The solicitor for the Department of Agriculture entered the government service as a clerk in the competitive class in the Treasury Department, studied law, was promoted to the position of law clerk, and then to his present position.

The solicitor in the office of the judge advocate general in the War Department was promoted to that position from a subordinate clerical position.

In accordance with the policy of regenerating the customs service which Secretary MacVeagh has initiated and carried out to so great an extent, the collector at the port of New York has departed from the practice of his predecessors, which was to bring in personal appointees for the position of solicitor of customs. He retained his predecessor's solicitor so long as he could prevail on him to stay, then promoted the assistant solicitor who had been



long in the service and made the chief clerk of the law division assistant solicitor.

These facts show that politics are being eliminated from this class of appointments to an extent which is not generally understood.

#### OUTSIDE THE FEDERAL SERVICE.

Also, here and there, outside the federal service we see very great advances even to the extent of systematizing the principle.

The competitive principle has been formally extended in Kansas City to the assistant corporation counsels; in Cook County, Illinois, to the assistant county attorneys; in New York City and in Buffalo to the deputy assistant corporation counsel (this latter extension in Buffalo was sustained by the courts); in New York State to the transfer tax appraisers, the junior assistant counsels of the Public Service Commission, the assistants to the attorney general, and to two of the four attorneys of the forestry, fish and game commission; and in Wisconsin to all but one of the deputy attorneys general of the state.

I say that all these signs indicate beyond question the ultimate application of the civil service principles to even the responsible legal positions.

#### APPROPRIATE METHODS OF COMPETITION.

At the outset, however, one point of possible confusion and misunderstanding should be removed. The prevalent conception in general public opinion is that the competitive system means exclusively test by written examination. Of course, I do not mean that, for it is obvious that no written examination can reveal the qualifications of candidates in respect of the personal characteristics necessary for court work as distinguished from learning and reasoning power.

By the competitive system, then, in connection with the higher of these positions, I mean a system which would approximately represent what the head of a large legal department desirous of obtaining the best possible subordinates would naturally install for his own aid in

making the selections. Such a man would not have the time, nor single-handed, would he have the facilities to canvass all possible material and judge of its excellence. A natural and very practical thing for him to do, I think, would be to assign to a committee of men familiar with the duties of the position, if possible by actual experience in it, the function of examining personally all candidates. The details of the method would, of course, have to be worked out experimentally. I will state certain possible forms of test, some or all of which might be open to such a committee. By sitting as a court of law with the candidates as counsel, they could test their forensic ability; their powers of legal reasoning; their personal address; their trustworthiness. By sitting as a moot trial court they could test their ability to present cases clearly and convincingly to a jury; their resource in examination of witnesses, and their power to marshal facts. By written examination, drawn in the form of questions presenting problems, as is coming to be the accepted method rather than questions calling for mere information, they could test their legal learning and power of logic. By these methods, and by scrutiny of their law school records, by hearing the testimony of their employers and associates, they could ascertain their qualities of judgment in conduct of litigation, their trustworthiness, their tact, their energy, their public spirit, and all those points of human sympathy, fairness and justness which are essential to such officers. Having by some such process culled out from among the candidates those of the most satisfactory qualifications, they can present them with their report to the appointing officer for his final action.

A similar system has recently been applied in a tentative way by the federal civil service commission in examination of candidates for consulates, candidates for positions in the office of the commission, and candidates for appointment to the position of field oil inspector in the Indian Service.

#### METHOD EMPLOYED BY DISTRICT ATTORNEY STIMSON.

Informally, substantially such a system as I have described was initiated by Mr. Henry L. Stimson, until

recently the United States district attorney in New York. He found that it was impossible for him to perform his own necessary administrative and legal duties and also to canvass personally all these points. He recognized also the fact that his own personal acquaintance could not present the entire field of available material. Therefore he appointed such a committee, consisting of three of his assistants, and instructed them to examine all candidates and all possible men who might be induced to become candidates, in substantially the manner I have above indicated. This informal committee reported in detail the results of this examination and reported also their conclusion as to the best qualified man, and that man was, I believe, in every instance appointed.

Can any one doubt that a more efficient man would be selected by such a method, than by any district leader, however enlightened?

#### EVILS OF THE SPOILS SYSTEM.

Possibly we may concede that the proposal is not the ultimate ideal and that certain objections may theoretically or even practically exist; but before discussing these objections I wish to discuss the only alternative which is practically offered—namely, selection of the appointees through the machinery of the political organization, or in other words, as is frankly admitted, with consideration to some extent of the advantages of those organizations.

#### MORAL EVILS OF THE SPOILS SYSTEM.

Your sagacious president, Dr. Eliot, said with great eloquence at a dinner in New York a year ago, given by the Civil Service Reform Association there, that the civil service reform issue was an issue of profound moral significance. The moral aspect is indeed very clear and tremendously potent. The unfairness to faithful public servants; the unfairness to worthy and efficient men desirous of performing public service; the unfairness to the public in subjecting all the public to maintenance of the expense of political work in behalf of one small section; the sordid, base unrighteousness of the system—are all

elements of great moral wrong, and this sense of moral wrong is of course the principal basis of the tremendous movement in which this League has participated with success so rapid and so encouraging.

#### THE ECONOMIC AND SOCIOLOGICAL EVILS.

What I wish to point out here, however, is another aspect of the evil, that is, the economic and sociological aspect. Under the political system of appointment to office the people do not get their *rights* in the results; they do not get their money's worth of service, either in the quality and ability of the men appointed or in their service after appointment. This fact is inherent in the very definition of the political system, for that system, by its definition, involves the granting of a preference for something else than fitness; and by the very extent of the value of that preference the public service is bound to suffer. In other words, by precisely the amount in which political service is credited on the account of the candidate, by precisely that amount the public is giving something for nothing. Assume for example that there is vacant the position of assistant district attorney. The salary, let us say, is \$4,000. If a portion of that \$4,000 is to be applied to pay for past political service there is only the balance left to be used for purchase of efficiency and ability. Similarly, if after a man is appointed, any part of his duties in return for the \$4,000 a year is to be service to the boss or party which appointed him, just so much of his service is diverted from the public which is paying for it. This of course is an incontrovertible proposition in mere mathematics.

#### PRACTICAL EFFECT OF THE ELIMINATION OF POLITICS BY DISTRICT ATTORNEY STIMSON.

I happen to have had under my own observation and experience a very striking illustration of precisely what I mean. By the method of informal competitive examination which I have mentioned, and by filling this higher position through promotion, Mr. Stimson revolutionized his office, when United States district attorney in New York, making his appointments and promotions without

regard to any political considerations, and seeking to get the utmost possible value in legal ability for the public money which was to be paid. The result which followed, partly of course from his own personal very great legal ability, and partly as a result of the quality of the force which he assembled by this method, and partly by his system of promotion from within the force, was simply amazing when matched against the results which had formerly been attained either in that office or in the other legal offices operated under the political system. You could see it in dollars and cents of the fines collected; in dollars and cents of the public moneys recovered; in the manner in which men indicted were actually finally convicted, and, more difficult still, put in prison. The notorious and shocking failures of the administration of the criminal law of the United States were not there to be observed. The law was applied with celerity and with certainty of effect. The impression which has come to prevail in the public mind that a rich criminal, able to employ astute counsel, could either escape altogether from conviction, or if convicted, could escape actual punishment by dilatory methods, met with at least one jurisdiction in which the contrary was conspicuously and relentlessly demonstrated. As I say, this was due of course in very large measure to the great ability and tremendous energy and to the tonic moral power, and to the public spirit of the head of the office; but no one man alone, even of such qualities, could possibly have accomplished such results if his fourteen assistants had been selected, or had performed their services, on the political service basis.

I believe it is uncontrovertibly the fact that neither the great campaign against railroad rebating nor that against frauds upon the national banks, involving especially the conviction of Morse, nor that against the customs revenue, involving especially the sugar trust convictions, would ever have been successful if the appointments demanded by the politicians had been made. It was a direct question between the value to the public of those successful campaigns and the value to the political machine of, say, fourteen positions at an average salary of perhaps \$2,000.

## OPPOSITION OF THE POLITICIANS.

Nevertheless this method was strongly opposed not only by the ordinary type of politician but by certain very enlightened and genuinely public spirited leaders who were of opinion that Mr. Stimson was in error, politically, in adopting it. One of these leaders, a man of the highest personal character and integrity actually complained to Mr. Bonaparte, then Attorney General, that Mr. Stimson had not only refused to make appointments needed by the organization for political effect and refused to direct his assistants to do party legal work as a sort of easement on their public salaries, but that he had actually worked them so hard in their official duties that they had no time to do the legal work necessary for the organization. Here was the controversy between the public service on the one hand and the private party service on the other brought into head-on collision. Could anything possibly be plainer than that the political theory in this regard was directly a demand that public work of public officers should be actually lessened in order to give to a private section of that public a portion of the legal services paid for by the whole public.

This controversy was very striking because it demonstrated the invalidity of each of the stock objections to the merit system in connection with these positions; and revealed the real objections with unusual baldness.

## NOT "CONFIDENTIAL."

First appeared the fallacy of the old pretense that the positions are "confidential" and therefore can not suitably be filled by competition. Of course they are confidential in the sense that the incumbent should not be one who will betray his case, but they are not confidential in any sense of requiring a personal relation of intimacy between the chief and the subordinate. Hardly one of Mr. Stimson's assistants was personally known to him before appointment, and yet no betrayal of confidence occurred among them or was for a moment imaginable. It all depends upon the scrutiny of the candidate's appearance, record and character and references. This objection, as experience shows, has generally been

used as a mere pretext in order to obtain exceptions and as soon as they are so obtained it generally materializes, in practical experience, that the appointing officer forthwith goes, "hat in hand," to the political boss or the district leader and receives from him the name of the person to be appointed and appoints him,—whether or not he has ever seen him; whether or not he is worthy of any trust; and whether or not there is any personal sympathy or confidence between them. This is one of the most striking particulars in which the practical politician assumes—for the purpose of argument—the role of the theoretical idealist.

#### PARTY PRINCIPLES IMMATERIAL EVEN TO THE POLITICIANS.

Also the old sham that for reasons of fundamental principle or belief a republican would be a more effective servant in a republican administration than a democrat would be, was unmasked by the revelation that an appointee's being a republican did not remove him from the criticism of the party leaders, so-called. It did not happen that any of the applicants were in fact democrats and Mr. Stimson very likely would not have been permitted to appoint a democrat but republicans *per se* were no more satisfactory to the organization than democrats would have been. They insisted upon republican organization *workers* in the strict narrow sense. No matter how profoundly a man might believe in the principles of the party, or how sincerely he might desire to promote its ideas, he was not eligible from their point of view unless he had worked in the machinery of the organization. In other words it was the party *work* and not the party *principles* which made the significant fact to them. Incidentally it may be observed that the insistence upon men holding the party principles is, any way, peculiarly inappropriate to appointments of public prosecutors, because the duties of those officers are purely the application of the law and there are no crimes so far as I have ever found in the prosecution of which it is important to be a republican or to know a republican from a democrat. Indeed it is vitally important *not* to know a republican from a democrat, for the moment any such observation

occurs, there follow injustice, tyranny and betrayal of the oath of office.

#### THE REAL OBJECTION—DESIRE TO USE THE PUBLIC PURSE.

The revelation that it was party workers rather than party believers that the politicians wanted to have appointed brought the question down, then, to the real objection—a direct bald question of dollars and cents. The party managers said in effect: The party has to have a certain amount of legal work done, some of it for poor members of the party who need to be kept in line by some sort of charity, and some of it for direct organization legal work in connection with watching elections, advising as to rights of voters, etc., etc. This legal work being necessary, how, they said, can we get men to do it? Would anybody do it without compensation? We must then either pay them from private money, or we must pay them through preference in appointments, at good salaries—in other words, through the public purse.

Now, as I have said, I agree fully that this point of view is shocking to the moral sense of at least the average man, though I recognize that in particular cases, by reason of tradition or what not it does not seem immoral to many men of genuinely high moral character. I confess that I have not the acuteness of moral vision that can perceive its essential distinction from ordinary embezzlement.

#### FAILURE OF OUR SYSTEM OF ENFORCING THE CRIMINAL LAW

And looking at it from the economic point of view which I have mentioned, it is evil in that it prevents the rank and file of the people from getting what they pay for. The salaries provided for the prosecution of crime go partly to the prosecution of crime and partly to the maintenance of the political machine. Either the people do not get their work done, which has been in fact the experience, or if they get it done they have to pay more than it really costs.

All this is aside from another fundamental evil of the spoils system, which is an evil common indeed to the application of that system in all kinds of appointments,



but perhaps in the largest degree evidenced in regard to legal positions.

The terms of public office are very short in this country, and the law is very long and the two do not fit.

Under our defective and absurd legal procedure, the law's delays are so great, both in criminal prosecutions and in civil cases like tax litigations, that a hard-fought legal campaign against experienced and high-paid counsel cannot be carried through to final culmination within the limits of the term of office; and a change in the office following a party change is a fatal swapping of horses.

We all know how bitter has been the feeling among the poor concerning the ineffectiveness as against rich and powerful criminals of the administration of our criminal laws; and we all know how far that bitterness has been justified; and we all know how these failures of the criminal law have fostered class hate and wild, vengeful political movements. I believe that more than to any other one cause these failures are due to political appointments to judicial and legal positions. That is a large subject and I cannot do more than suggest it in passing. It is a part of what I mean by speaking of the sociological and economic evils of the spoils system in such offices.

#### FALSE ISSUE TENDERED BY THE POLITICIANS.

Now all this is very trite, I suppose, but I have thought it well to state it because our question is as to the relative practical usefulness of the two systems, and it is well to keep thoroughly in mind the practical evils of the spoils system. The critics of the competitive system have very shrewdly planted themselves upon certain purely theoretical disadvantages of that system, setting up as the standard and alternative the purely theoretical and ideal system which does not exist and never has existed and never will exist. Therefore let us harp upon the fact that the question is solely and practically the *relative* value of the competitive system as compared not with Utopia, but with the political system as it actually in fact exists and as in its essential definition it must necessarily be. In fact the "practical poli-

tician" in his discussions of the civil service reform question has not been a reasoner on practical lines but an idealist. It may seem strange to refer to practical politicians as idealists, but in this particular controversy they seem to have assumed that position—an assumption, again, for the sake of argument only.

It is as plain as day that this fight for the civil service system, or as one might say, the *public* service system, is a fight not only for moral right but for the good of the mass of the people. It is the most valuable political asset now lying around loose, and why unmercenary political leaders have not seized upon it I cannot understand. It is, to my mind, one of the most effective contributions of our generation to the betterment of our methods of government and the consequent welfare of our people.

## Report of the Special Committee on Superannuation.

### TO THE COUNCIL:

Since the report to the Council of the Special Committee on Superannuation in December, 1909, the essential soundness of the principles recommended by the Committee has been strongly supported by a series of elaborate investigations of the pension systems of other countries made by the United States authorities at Washington.<sup>1</sup>

It is interesting to note that England has seriously modified the straight pension plan which has been in operation there for fifty years because of the unsatisfactory results in actual operation.<sup>2</sup>

The two leading bills now before Congress "for the retirement of employees in the classified civil service" are Senate bill 1944 introduced by Mr. Perkins on April 21, 1909, and House bill 22013 introduced by Mr. Gillett on February 28, 1910. The Senate bill has not been reported out of committee. The House bill has been reported but has not yet been acted upon further.

Both bills are made applicable only to the District of Columbia.

These bills are similar in their principal features and unless the Perkins bill is specifically mentioned the provisions of the Gillett bill will be the one discussed below. The bill would establish a compulsory savings account for each employee, that is, he is to provide his own retirement fund by deductions from his salary sufficient at 3½ per cent. compounded annually to purchase from the United States at the age of retirement an annuity equal to one

(<sup>1</sup>) The report of the House Committee on Reform in the Civil Service made April 20, 1910, (H. R. Report No. 1081, 61st Congress, 2d Session) at pages 2, 3, and 4, summarizes briefly some of the results of these investigations.

(<sup>2</sup>) See page 7, *id.* For a detailed statement of England's experience with pensions, see Sen. Doc 290.

and one-half per cent. of the total annual compensation paid him by the government between the date of the passage of the act and the arrival of the employee at the age of retirement.

The theory is that if a man spends fifty years, practically his whole working life, in the government's employ, he will in this way have contributed a sum which will buy from the government an annuity for the rest of his life fifty times one and one-half per cent. (that is, seventy-five per cent.) of the average annual salary he has received from the government. In brief, he will retire on three-quarters pay if he enters the service at the age of twenty and remains until he reaches the age of seventy. The actual deductions will however in the case of each employee be fixed by his age when he enters the service. The two extremes are illustrated in the report of Mr. Gillett's committee accompanying the bill by the cases of an employee who enters the service at 20 and one who enters the service at 69, the age of retirement in both cases being 70. The compulsory saving of the former is 4.3 per cent. each year for fifty years, of the latter 11.2 per cent. for one year.

Apparently, also, it is intended that whenever the salary is increased the amount of the increase shall be regarded as a separate and additional salary of the employee and the percentage of it to be deducted as a compulsory saving will be determined by the employee's age when he commences to receive this additional salary. For example, if an employee enters at 20 and receives \$1,000 annual salary for ten years and his salary is then raised to \$1,500, he will pay into the compulsory savings account 4.3 on \$1,000 of his salary and 5.3 per cent. on the \$500 increase.

According to the report of the House Committee on Reform in the Civil Service, employees already in the service when the act goes into effect must make compulsory contributions as if they were new entrants and the government is to contribute from the public treasury a sufficient sum to make his retirement allowance equal to \$600 a year. If the employee's own contributions will buy an annuity of that amount, the government is to contribute nothing whatever. The language of the act (Sec.

11) is:—"Every employe . . . . shall be entitled on "reaching the retirement age or having already passed "that age . . . . in addition to the annuity herein provided for from contributions from his salary to receive "from the United States during the remainder of his life "an annuity equal to one and one-half per centum of the "total compensation during service prior to the taking "effect of this Act: *Provided, however,* that no annuity "shall be paid by the United States for services prior to "the passage of this act, which, together with the annuity "earned by the employee's own contributions shall amount "to more than six hundred dollars, . . . ."

The Perkins bill omits this proviso, which, it is estimated by the Gillette committee, will limit the government's contribution under this section to, say, \$50,000,000, possibly to \$30,000,000 or \$25,000,000. The omission of the proviso, it has been calculated, will cost the government \$130,581,273.

The retiring employee has three options: (1) an annuity payable quarterly throughout life, (2) an annuity payable quarterly throughout life with a proviso that in case the annuitant dies before he has received the full amount of his savings plus the interest credited to them, his heirs shall have the balance; (3) in one sum.

The service is divided into three groups and the President is to designate the branches of the service in each. Members of group one retire at sixty-five (sixty?) years of age, of group two at sixty-five, of group three at seventy.

If the employee is separated from the service prior to reaching the age of retirement, "the employee may "withdraw his savings in one sum and in case he has "been in such service not less than six years, he may also "receive in addition thereto interest on his savings at the "rate of three and one-half per centum per annum compounded annually.. " If his savings amount to at least \$1,000 he is entitled to any of the three options computed on the basis of his age at the time of his separation from the service. If an employee dies while in the service, "his legal heirs" will be paid his savings "together with the interest credited thereon."

The provisions for the investment and financial administration of the sums deducted from the salaries of the employees need to be subjected to much further study and consideration:

The money may either be loaned to savings banks or invested directly by the government. In the former case, the bank must pay at least  $3\frac{1}{2}$  per cent. interest, compounded annually, and as collateral security deposit certain classes of bonds. In the latter case the government itself must invest the money in the same class of securities. These are:

Bonds of the United States, bonds or other interest-bearing obligations of any state of the United States, or any legally authorized bonds issued for municipal purposes by any city or town in the United States which has been in existence as a city or town for a period of twenty-five years, and which for a period of ten years previous to such deposit has not defaulted in the payment of any part of either principal or interest of any funded debt authorized to be contracted by it, and which has at such date more than twenty-five thousand inhabitants, as established by the last national census, and whose net indebtedness does not exceed five per centum of the valuation of the taxable property therein, to be ascertained by the last preceding valuation of property for the assessment of taxes; or any legally authorized bonds issued for municipal purposes by any city or town in the United States which has been in existence as a city or town for a period of twenty-five years, and which for a period of ten years previous to such deposit has not defaulted in the payment of any part of either principal or interest of any funded debt authorized to be contracted by it, and which has at such date more than two hundred thousand inhabitants, as established by the last national census, and whose net indebtedness does not exceed seven per centum of the valuation of the taxable property therein, to be ascertained by the last preceding valuation of property for the assessment of taxes. In this clause the words 'net indebtedness' mean the indebtedness of any city or town, omitting debts created for supplying the inhabitants with water, and debts created in anticipation of taxes to be paid within one year, and deducting the amount of sinking funds available for the payment of the indebtedness included. The Secretary of the Treasury shall accept, for the purpose of this act, securities herein enumerated in such proportions as he may from time to time determine, and he may at any time require the deposit of additional securities, or require any bank to change the character of the securities already on deposit. It shall be the duty of the Secretary of the Treasury to obtain information with refer-

ence to the value and character of the securities authorized to be accepted under the provisions of this section, and he shall from time to time furnish information to savings banks as to such bonds as would be accepted as security. When consistent with the best interests of the fund created by this Act, the Secretary of the Treasury shall distribute the deposits herein provided for, as far as practicable, equitably, between the different States and sections.

For the purpose of aiding the Secretary of the Treasury in depositing and investing the funds created by this Act a board of investment is hereby created, composed of the Treasurer of the United States, the Comptroller of the Currency, the chief of the office created by the provisions of this Act, and two persons to be designated by the President from among the employees of the classified civil service. The members of the board of investment shall be sworn, and shall hold office until others are appointed and qualified in their stead.

The bill also contains provisions (Sections 8 and 9) intended to provide a form of accident or sickness insurance for employees totally and permanently disabled from either of those causes. A special fund is created made up of the compulsory contributions of each entrant into the service of one-fifth of his pay for the first six months and of the entire increase in salary for the first three months in every case of promotion. From this fund an annual allowance is to be paid equal to one and one-half per cent. of the disabled employee's total compensation prior to his disability *Provided, however*, that the allowance in case of disability due to accident must, if the special fund be sufficient, be at least one-fifth of the employee's average annual compensation prior to the accident; and that in case of disability due to sickness no allowance whatever shall be granted unless the employee had been in the service at least twenty years prior to the disabling sickness.

If the employee at the time of his disability has not already compulsory savings to his credit which compounded annually at  $3\frac{1}{2}$  per cent. would be enough at his normal age of retirement (say, at 70) to buy an annuity equal to his annual disability allowance, the deficit is to be made up by compulsory savings from the disability allowance itself, until he reaches the normal age of retirement. That is, the disability allowance is treated as

a salary out of which the disabled employee must help to provide for its continuance after he reaches the age when, irrespective of accident or sickness, he would have been obliged to retire from the service.

If, at the time of his disability, the employee has more than enough compulsory savings to his credit to continue his disability allowance after he reaches the normal age of retirement, "he may withdraw such excess in one cash "sum or in an annuity limited to the age of retirement."

If the special fund already described be not sufficient to meet the disability allowances, they must be reduced pro rata. The Secretary of the Treasury has full discretion to reduce or terminate any disability allowance at any time. At the death of the disabled employee, his legal representatives have no claim to his disability allowance.

The inadequacy of the plan just outlined would seem apparent; and it may well be questioned whether insurance against accident and disease should be made a part of a bill designed to establish retirement annuities for employees who have become superannuated after years of service.

Since the foregoing was written, President Taft has sent a message to the Congress in which he strongly condemns straight civil pension on three grounds: (1) It is bound to become an enormous, continuous and increasing tax on the public exchequer. (2) It is demoralizing to the service, since it makes difficult the dismissal of incompetent employees after they have partly earned their pensions. (3) It is disadvantageous to the main body of the employees themselves, since it is always taken into account in fixing salaries and only the few who survive and remain in the service until pensionable age receive the value of their deferred pay.

To those who have read previous reports of this committee, these objections to straight pensions have been made familiar.

The President expresses his approval of the contributory plan and commends the principles embodied in the Gillett bill, except in respect to its provisions for the payment out of the public treasury, in whole or in part,



of retiring allowances to those already in the service when the act goes into effect. In his judgment, these should be paid out of the salaries appropriated for the positions vacated by retirement, and the difference between the annuities thus granted and the salaries should be used for the employment of efficient clerks at the lower grades.

HORACE E. DEMING, *Chairman*.

RICHARD H. DANA,

HENRY W. FARNAM,

HENRY W. HARDON.

## Report of the Special Committee on the Application of the Merit System to the Higher Municipal Officers.

### TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

In 1906, at New Haven, this committee submitted its first report. At that time the proposition for which it stands was, in a sense, new, that is, it presented a field of endeavor on which no one in this country had yet entered. It was so new that the report reached only the hesitating conclusion that the whole subject was so large, it was so recently that it had been considered as more than a speculative question and it required so much study to distinguish how far it should be applied that, while the idea in general commended itself as one of the most hopeful measures of public interest in either municipal or civil service reform, yet the committee felt that it was not prepared to make a recommendation except for further investigation. To-day, the principle involved has so well established its right to recognition that the President of the United States has no such hesitancy in recommending it to Congress. In his annual message, recently presented, he says:

"Officers responsible for the policy of the administration and their immediate personal assistants or deputies, should not be included within the classified service; but in my judgment public opinion has advanced to the point where it would support a bill providing a secure tenure during efficiency for all purely administrative officials."

There is a growing tendency throughout the country to treat this most important aspect of civil service reform with greater consideration. The President is right. Public opinion, we believe, will support the extension of the merit system to all officials except those responsible for policy. The very positive expression of public opinion in the recent elections in those jurisdictions where voters were afforded the opportunity to vote on the adoption of

a merit system, as in New Jersey, Illinois and the City of Detroit, may justly be looked upon as a warrant for the President's assertion.

There are many indications that there is an increasing popular conception of the fact that we cannot have real efficiency and permanency in the civil service until the appointment of all administrative officials shall be made by the elimination of the personal interest of the appointing power, and as the result of competition. This is true of all such officials, but it is peculiarly true of municipal officials, partly because a municipal administration must have many of the attributes of a huge business enterprise, and partly because, in many ways, it differs very essentially from a private business. We all know how many activities municipal corporations are assuming which are either new or were before accomplished through private agencies. In the conduct of these enterprises, municipal business is like a private business, and it is universally agreed that to be efficient there must be unity and continuity of service. But it is also easy to believe, as it is very commonly believed, that while the subordinate positions should be filled only through competition, the executive ought to have the right to exercise his personal preferences in naming those officials with whom he is brought into immediate contact, and upon whom he relies to carry out his personal directions or to conduct the larger operations of his administration. He would not abrogate this right in his private business, and why, it is urged, should he be deprived of it as the head of the public business? The argument is attractive, but it is not justified in practice. The result is that the administrative positions, having no permanency, offering no opportunity for a career, are filled with inferior men, who are apt to use them for political and selfish ends. Moreover, the idea that municipal business is to be conducted like a private business is illusory and erroneous in many essential respects. The function of municipal business is to spend money, and not to make it. It is regulated by law—by rigid rules—with the framing of which its officials have nothing to do, and which control its executive as well as his subordinates. This executive is himself changed at short inter-

vals, varying from one to four years, and it is obvious that he cannot have the same kind of relation to it or the same kind of interest in it, which he would have in his own business. Just as he is bound to accept the laws regulating his actions, he ought to be bound to accept the officials whose duty it is to administer those laws. It is his function, and the function of other officials elected for the purpose, to determine policies—whether the transportation problem is met, whether the drainage system is adequate, in what ways the city's income is to be best spent, and it is the function of the administrative officials whom he finds in office to execute these policies. They are or ought to be experts upon whom he is entitled to rely. But they will not be experts, if they are renewed by each new mayor, because they will not have had the proper experience and training in their positions, because there will not be unity and continuity of service, because the best material cannot be procured for temporary service, and because it has not proved to be possible for him to be as uninfluenced by personal considerations as he would be in his own affairs. In other words, the civil service, to achieve unity and efficiency, must be a field for a career, and it is certain that it will not be such until not only the minor offices, but all others which are administrative, are taken out of politics. In our previous reports we have pointed out that the extension of the merit system to the minor positions has failed to touch a number of political abuses, such as the levying of political assessments, the political activity of office holders, favoritism in the distribution of municipal work and extravagance and waste in administration; that if the administrative heads of departments could be taken out of politics, we believe that the incentive for these abuses would cease, the municipal service would become attractive as a career to many persons who now shun it, and the quality of the candidates would be improved, with the further result that when questions of policy only are left to be determined by legislative and executive heads, the capacity of the municipality for local self-government will be increased. We also, we think, made it plain that it is perfectly practicable to fill such offices by competitive exami-

nation, and the experience of Chicago and other cities in conducting such examinations has justified the statement. At the same time we suggested that the character of the examinations to which we have become accustomed, and the standard which has been heretofore set for it, have been far too narrow. We have been examining candidates too much as to their ability to fill a specific position, and too little as to their general capacities. In England the candidate's ability to do the work after he has learned it has been the principal consideration. This means advancement in the service through promotion, and as a consequence the English service has become a government by experts who are trained by experience. This procedure contemplates that the service is to be a life-long career, and adds greatly to its stability. In this respect our civil service commissions need to be educated. We find, for instance, in the civil service text book issued by the Chicago commission the following opening paragraph:

"Civil service examination should be an inquiry based upon practical and scientific tests and investigations as to the mental, physical and moral qualifications of applicants for the public service, made with reference to the duties and responsibilities of the position to be filled. One of the purposes in authorizing publication of this text book is to dispel the mistaken idea that examinations consist of academic tests."

Now, academic tests, if they are of such character as to show general capacity, are of great importance, and it is, we believe, erroneous to overlook them. Other things equal, the better the general education, the more competent will be the official. The Chicago commission unconsciously realize this for in the same text book, they subsequently say—

"The range of methods in civil service examination, is from assembled educational tests of the simplest character to the preparation of theses, with verified experience, by unassembled applicants."

In their examination for librarian of the Chicago public library, a high-grade position, the applicants were not assembled, but were given thirty days in which to submit in writing their professional judgment on the proper administration of the library. In the ratings, this

and experience were given equal weight. The examination conducted by the same commission to fill the position of superintendent of streets, was also one in which experience was rated equally with the results of an oral test and of three theses on subjects related to the duties of the office. These examinations are very admirable under our present limitations, and show the practicability of applying the merit system to offices of so high a character, but we look forward to a time when such offices may be filled from inferior grades of the service with necessarily greater general success.

We may say that there are many similar instances to show that the character of the examination has been made more liberal than formerly. An oral examination and a severe inquiry into the data of experience furnished by the candidate are essential to a successful certification of candidates for the superior offices, as those subject to competition are gradually increased in number. The particular criticism which is made to the competitive method is that it does not furnish really good candidates, and the criticism is often just. The standard of the examination needs to be raised, and this is true not only of higher offices to which the merit system should be applied, but of the offices to which it is now applied. This is a defect of administration by the civil service commissions which needs attention. The fault ultimately lies with the commissioners who are to be held responsible for this condition, and one remedy may be to select municipal commissioners—as distinguished from state commissioners—themselves by competition. But however selected, they should have a more independent and assured position than they now hold.

The Boston experiment is the nearest approach to the application of the merit system to the higher municipal offices which we have yet had. The new charter of the City of Boston contains a provision that the mayor shall appoint as heads of departments without regard to party affiliation persons recognized as experts or as especially fitted for the work by education, training or experience. This abstract requirement does not differ in substance from that of the New York constitution, that appoint-

ments to office shall be made according to merit and fitness. But the Boston charter intends a test of each appointment, and requires that the fitness of the nominees shall be approved by the civil service commission. This is far from being appointment by competition. But it differs from the ancient and discredited provision that a mayor's appointments must be confirmed by the municipal legislative body in substituting an administrative and expert body for a political and inexperienced one making no systematic inquiry as to fitness. The civil service commission collects information and invites communications concerning the candidate's qualifications and is given thirty days in which to act. The approval must be positive for, if no action is taken, the appointment fails. There is a further important element which distinguishes this approving body from a local legislature, in that it is a state and not a city board, thus to that extent subjecting local administration to supervision by the state. In Boston it has so far been a board appointed by a Republican governor passing upon the appointments made by a Democratic mayor.

That the mayor's appointments would still be made for political reasons was to be expected, and such has proved to be the case. No statutory requirement which lacks a sanction can be really effective. It is easy for a mayor to maintain that all his nominees are especially fitted for their work by education, training and experience. But admitting them to be so, they are personal to the mayor, are dependent upon him for their place, have not been subjected to any competitive test, and have no consequent assurance of permanency of tenure. This element, which is essential if the civil service is to be a career, is lacking.

It cannot be said, however, that the scheme is without merit. About one-quarter of the mayor's appointments have not been approved. It is too soon to reach any final judgment as to its success or failure. But it has had at least this success, that it has been the subject of extensive discussion, and has in this way aroused an interest in the general proposition to take the higher municipal offices out of politics.

There has been considerable newspaper comment, too, over the application of the merit system under the Kansas City charter. In that city the city engineer, superintendent of street cleaning, chief superintendent of water works, assessor and collector of water rates and assistant city counsellors, are selected through competition. The comment has been to the effect that the merit system is there applied to heads of departments. While this cannot be said to be true, inasmuch as the officials in question are really no more than heads of bureaus, and are easily matched as competitive in other municipalities, the fact that the comment should be made and should excite interest is in itself encouraging.

We find in Chicago the best instances of a comparatively uniform application of the competitive system to the higher offices. Outside of the heads of departments, there are few high-grade positions which are not competitively classified. They include, for example, the deputy comptroller and auditor, the city architect, the deputy commissioner of public works, the city engineer, the assistant city treasurer, the superintendents of the bureau of water, streets, and sewers, the assistant commissioner of health, the assistant superintendent of police, the deputy commissioner of buildings and the assistant fire marshals, at salaries ranging from \$4,000 to \$8,000. This classification is due, it must be confessed, to the character of the law applicable to Chicago, which leaves no discretion to the commission, but the examples which are thus furnished to other cities are very instructive.

In New York, the chief engineer of the city, namely, the chief engineer of the board of estimate and apportionment, a very high grade position, the chief of the fire department and superintendents of hospitals are competitive. Positions similar to that of superintendent of water works have been filled by competition, although that precise title does not seem to exist in other cities where the merit system is established.

But it is not to be expected that an extension of the system to the higher offices is to be made anywhere at once. A normal growth is the trial of one place here and there. As it proves successful there will be an in-



creasing demand and willingness to fill some other or more important place in the same manner. There is considerable evidence of such a growth. Within a comparatively brief period, the state librarian of New York and the superintendent of the public library in Chicago have been so selected. In the past year transfer tax appraisers in New York have been made competitive. These are officials who combine administrative with judicial powers, and no examination which is based principally upon book knowledge is sufficient to test the qualifications of the competitors. The examination which was conducted was exemplary, and included high ratings based upon experience and the results of oral questioning by an expert board constituted for the occasion. Examinations have also been conducted to fill the administrative positions of secretary of the charities department of Illinois and the superintendent of Letchworth Village, an institution for epileptics in New York, inspector of almshouses in the state board of charity, Massachusetts, superintendent of streets in Chicago and head of the architectural division of the schoolhouse department in Boston. In the latter case, the oral examination was held by three competent practicing architects acting with the chief examiner. To these instances are to be added the superintendent of the main drainage works (sewer division of the street department) requiring a high-grade practical engineer, assistant superintendent ferry division and assistant division of the park department, all in Boston, and superintendents of free employment offices in Massachusetts.

It is not practicable, in view of your committee, to establish any certain rule concerning the higher positions which can be filled by competition. The charters of cities in the United States are so variously constructed, and the phrases "heads of departments," "heads of bureaus" and the like, mean so many different functions, that it is not possible to use any terminology which will fit the differing conditions. In order to construct any scheme which would be in any sense all containing, it would be necessary to analyze and compare not only the text of the municipal charters, but their actual operation, and when completed such a scheme would be academic and subject

to successful attack. Our purpose is to eliminate political and personal considerations in the conduct of government on its purely administrative side. Its abstract proposition is sufficiently well stated in the New York constitution and in the Boston charter. It will be easier, too, to agree in most instances as to the applicability of the classification of a concrete office with every one except the appointing officer and the unseen politician behind him. It should be our particular effort, whenever occasion presents itself, to procure its classification as competitive, by statute if necessary, by the civil service commission if it have the power.

Somewhat paradoxical, it is frequently more difficult to do this when an appointing officer is an avowed believer in the merit system than when he is not. This is because the purpose of civil service laws often seems to such officer intended to prevent bad personal appointments, rather than to prevent any personal appointments at all; and he intends to make good appointments. It arises often also because of an idea that municipal business is like a private business, and that, therefore, he, sure that he has the best interests of the community at heart, is better fitted than an examining board to choose his own experts. He ignores the essential element of permanency of tenure.

To succeed in our particular efforts we need first to educate the public, and this is to be accomplished only by constant discussion and agitation. Information for the press, both in the way of reasons for and the results of concrete examinations, should be given out as actively as possible. But in doing all this, we must not forget the examinations themselves, and the civil service commissions which conduct them. For the lack of a proper examination, a very proper example may turn out a failure when it ought to be highly successful. And in this connection there is another point which must not be overlooked. We are apt to concentrate our attention on the larger municipalities. They furnish the most spectacular instances of the higher places which ought, we think, to be filled by competition. But public opinion needs more education in the smaller than in the larger cities. In the

former, office holding is a more intimate occupation, and corruption and inefficiency are, as a rule, much greater than in their superior exemplars. Where each city has its own civil service commission, the latter, in the smaller cities, usually bestows little care upon its examinations, and the result is to discredit the system. As to the higher offices, they are not thought of as possibly to be filled except by personal appointment. In fact, they are the ones which should furnish the best successes and the ones which should furnish experience to candidates for similar and more important places in the larger municipalities. They could easily be made the opportunities for the beginning of a career. We shall not be successful in educating a sound public opinion unless we actively include the small cities in our efforts.

NELSON S. SPENCER, *Chairman*.  
SILAS W. BURT,  
RICHARD HENRY DANA,  
HORACE E. DEMING,  
CLINTON ROGERS WOODRUFF.

## The Baltimore Charter Commission and the Merit System.

HON. W. CABELL BRUCE, MEMBER OF THE BALTIMORE  
CHARTER COMMISSION.

By an ordinance, approved in July, 1909, the mayor of Baltimore was empowered to appoint, subject to the confirmation of the second branch of the city council, a commission of nine persons to revise the existing city charter. Pursuant to the authority thus conferred, Mayor Mahool named as the members of the commission Messrs. Edwin G. Baetjer, Louis M. Duvall, George R. Gaither, B. Howell Griswold, Junior, David Hutzler, Waldo Newcomer, Joseph Packard, Dr. William H. Welch and myself. All of the appointments were confirmed, and shortly afterwards the commission elected Mr. Packard as its chairman and Dr. Horace E. Flack, the executive officer of the municipal department of legislative reference, as its secretary, and at once entered actively upon the discharge of its duties. Naturally enough its sessions were marked by considerable conflict of opinion with reference to many of the changes in the organic law of the city suggested in the course of its deliberations; but it is gratifying to recall that one of the things upon which the members of the commission were absolutely unanimous was the vital importance to any large and enlightened plan of municipal reform of the merit system of appointment. So matured and positive were their convictions upon this subject that, when an elaborate amendment to the existing city charter was submitted to them, providing for the application of the merit system to the city government, they promptly agreed that the principle of the amendment was too manifestly sound and timely to require reference to a committee, and contented themselves with an examination by the commission as a whole of the administrative details of the new system.

After some modifications, mainly adopted with a view to rendering the system as secure from encroachment as possible, in case it became a feature of the city charter, the amendment was approved without a dissenting voice and made a part of the general revision which the commission subsequently laid before the state legislature. The text was originally drafted by the practised hand of Mr. William Reynolds, of Baltimore, and of it, in its final form, it is sufficient to say that it appeared to comprise every essential of a complete civil service reform law. It created a city service commission of three persons, clothed these persons with the amplest powers of classification and regulation, made fitness ascertained by open competition the one condition of admission to practically all the subordinate positions under the city government, including the police department, the board of liquor license commissioners, and the offices of the clerks of the courts, and prescribed all the usual safeguards against the assertion of political or other perverting influences over appointments to such positions.

The considerations by which the commission was actuated in recommending the establishment of the merit system are briefly expressed in the report made to the mayor by it after its revision had been completed. "This system," it said, "if established, would, in our judgment, prove most effective in excluding political influence from the workings of the city administration, in suppressing the worst abuses of municipal patronage and jobbery, and in opening up to the people of the city generally new opportunities for honorable and profitable employment now too often denied them by the oligarchical nature of the spoils system of politics."

The bill embodying all the extensive alterations in the existing city charter recommended by the commission was introduced into the house of delegates in March of the present year, and was referred to the city delegation. Two brief hearings were accorded to the commission by this delegation, and after some indecision and much unwarrantable, if not artful, delay the bill found its way back into the house. There a conflict arose between the members of the city delegation who favored the bill and

those who opposed it which afforded a member of the house from Baltimore County an opportunity to have the bill laid on the table; his pretext being that the discussion over it in the closing hours of the session was obstructing the progress of other important legislation. In this catastrophe the provisions in the bill for the merit system were, of course, involved.

That the death of the bill was, except so far as referable to the abolition which it contemplated of one branch of the city council, referable solely to the lethal blow struck by it at the spoils system of appointment and all its debasing and despicable attributes no well informed person in Maryland doubts. The men who framed this bill, it should be recollected, were not a self-constituted commission. They brought to the five months of earnest and devoted labor which they gave to their task credentials more valid than any with which they could have been furnished by any civil service reform association however respectable, or even by a popular movement outside of the domain of official responsibility. They were appointed under the authority of a formal ordinance of the mayor and city council of Baltimore by a mayor whose disregard of secondary considerations in making comment can be trusted, they seem to have been accepted by the great mass of their fellow citizens as fairly answering the requirement of the ordinance that the nine individuals, who were to serve without pay as members of the commission, should be "able and discreet" persons. Their appointment was confirmed by one of the two branches of the municipal legislature. If contemporary appointments is one among his many titles to respect. Their disinterestedness and public spirit were never questioned. The revision drafted by them was received with distinct favor by the press and the people. As a whole it was subjected to singularly little criticism. By its terms it was to be submitted to the voters of Baltimore for their approval before taking effect. Under such circumstances it is hardly probable that such a bill as that of the commission would have been defeated, even though it did trench upon some vested political interests in lopping off one branch of the City Council, but for the fact that the

honest face of the merit system, reflected in its pages, aroused in the political bosses, who controlled a large portion, if not the majority, of the city delegation in the house, somewhat the same feelings of mingled disgust and terror as those with which Mephistopheles shrinks on the stage from the sight of the cross. It was unquestionably to their secret and persuasive promptings that the shifting relations sustained by many members of the city delegation in the house to the bill are to be ascribed. At times some of these delegates appeared disposed to heed the popular desire for a new charter, at other times they rested their doubts upon the pretence that the bill had reached them too late in the session for intelligent action, and on one occasion the deportment of one or more of them towards the chairman of the commission was reported in the press as devoid of even common courtesy.

"As the prompter breathes, the puppet speaks." This line of Pope sums up all that is to be said about the individuals who should be handed down in the history of Baltimore as men who, to their lasting discredit, were supposed to represent her best interests at an hour when she was anxious to make another stride along the pathway of her high destiny and who yet did not scruple by their votes to deny to her people the privilege of passing upon the means by which her generous aspirations could be fulfilled.

If the defeat of the merit system at the last session of the general assembly of Maryland was all that there was to be told, it would hardly be worth the telling. That is but the fate which every general proposition of the sort has incurred in this state at the hands of its legislature, but in this instance the disaster was attended by circumstances which justify the expectation that the application of the merit system to all subordinate positions under the city government in Baltimore will not be much longer postponed; and this notwithstanding the fact that I fully realize that the patronage system is the very last thing upon which the iron fingers of any well organized political machine can ever be induced to relax their clutch. John Randolph, of Roanoke, referring to his feeble digestive organs, is said to have declared on one occasion

that to ask him to dine on a certain dish was to ask him for a slice of his constitution. That is the kind of request we make when we ask the spoils politicians in Baltimore to give up the spoils system of official tenure. But, unless I am very much mistaken, if the mass of our people will but do their duty next spring and next fall in relation to the proposed city charter, it will not be long before our cannibalistic cravings, already supplied with some substantial gratifications that were once thought to be wholly beyond their reach, will be gratified in this particular too. The entire history of the proposed city charter shows that the merit system now has a wholly different standing in Baltimore from any that it has ever had in the past. It is no longer little more than a mere cult. It is no longer even simply an earnest creed, cherished by a comparatively few unselfish and resolute men, and not only detested by the machine politician but misunderstood and disparaged by thousands of conscientious and public-spirited citizens as well. A few years ago no man who had the slightest leanings in favor of such a system could have been a member of a Baltimore city charter commission at all. Even the charter commission of 1898, superior in many respects as its quality was, did not venture to recommend the application of any such system to anything but the public schools. The members of the recent commission were not selected with any reference to the system at all. Yet how significant it is that when they came together from the many different fields of activity from which they were drawn they were as one man in expressing their sense of the paramount value of the system to the proper government of cities and in believing that the time had come for pointedly asking the people through all the ordinary agencies of popular agitation whether they were willing to be any longer robbed of its benefits by a group of political bosses who are no more a natural part of a sound body politic than a group of malignant bacilli are a natural part of a healthy human organism! And how much in this community at any rate is the significance of these facts enhanced when it is remembered that at least three of the members of the commission, Mr. Packard, a former president of our



school board, Mr. Gaither, a former president of the second branch of our city council, and myself, a former head of our city law department, had recently held office in a city in which party responsibility was the avowed working principle of the municipal administration! The truth is that the first flush of the early morning of the reform had faded into the light of common day. The rapid, irresistible expansion of the merit system in the province of the national government, under the tutelage of the recent Presidents, Republican and Democratic, who each bore himself as if he thought he would be dishonored by returning to the people without having extended its boundaries, the examples of decent, quiet, efficient administration set in late years by our local post office and custom house, the approval recently given by the voters of numerous cities in the Union to new municipal charters embracing the system, the benignant change wrought by its application to the public schools of Baltimore, the gradual growth of higher civic ideals and of the spirit of political independence among us, the steady and increasing pressure of an enlightened public opinion upon partisan bigotry and misguided popular prepossessions of every sort in our midst had opened the closed lids of our people, broken down the clods, and prepared the ground for the seed that the commission scattered. The response to the commission, so far as the press of Baltimore was concerned, left little to be desired. This press, one of the best allies that a free and intelligent people ever had, unhesitatingly ratified our work, including the merit system, supported our application to the legislature, and, in case this application was successful, stood ready to do its full share towards obtaining a favorable verdict from the voters. A few years ago even these newspapers, closely in touch as they have usually been with the higher welfare of the public, could scarcely have been induced to think that any charter stood the remotest chance of being enacted by our legislature which treated the mass of municipal offices as anything but party loot.

Another encouraging circumstance is the fact that notwithstanding the hostility of the bosses, enough of the city delegates voted together in committee to send the

bill back to the house with a favorable report, though, of course, majorities of this sort at this legislative stage are sometimes to some extent colorable only. Equally as encouraging is the circumstance that when the bill was tabled in defiance of the best legislative traditions of local self-government a large majority of the city delegates voted against the motion by which this was done. It is entirely possible, I need not say, that some of these persons would not have voted in the manner they did had they not known that the principle of local comity was not to be conceded to the bill, and that, in the divided state of the city delegation, spoilsmen from the counties would dispatch the bill even if its out-spoken opponents in the city delegation were in the minority. It is undeniable, however, that both in the committee room and on the floor of the house there was a considerable band of earnest and fearless men in the city delegation, like Dr. Ashby, Mr. Marriott and Mr. Girdwood, who strove for the passage of the bill by every means in their power.

It is also agreeable to note that the spoilsmen compassed the destruction of the bill despite the fact that, if it became an act, it was to be referred to the voters of the city for their approval or rejection. They knew too well what return the people of Baltimore would make to that referendum to anticipate a repetition of the success which they achieved in the early history of the merit system in this state when they actually stole the system from its parents, disfigured its features beyond recognition, as gipsies are said to do those of a child abducted by them, and, in this condition, which forced even its friends to oppose it, submitted it in the shape of an amendment to the state constitution to the people of Maryland for the very purpose of having it voted down and consigned to perpetual oblivion.

Altogether, therefore, we feel that our hopes will not continue to be falsified much longer. It is not so hard to fight the political machine in Baltimore, where the equilibrium of parties is so nice, when there is nothing but the political machine to fight. The contest is doubtful only when the bosses can enlist in their behalf some form of real popular support, born of prejudice or selfish

coincidence of interest. When the struggle on their part is simply a naked professional one for their purely class perquisites, they have a grim day indeed before them. This is precisely what the present struggle is, and our hands are greatly strengthened by the fact that we are not asking for the merit system as an isolated proposition but as a part only of a programme of extensive changes in our charter. Our antagonists can not deny us the merit system without denying to the city in every relation the privilege of conforming with the urgent laws of its growth. They are attempting the Japanese feat of tying down an oak to a flower pot. That is the situation which will be presented to the people of Baltimore when the agitation for the proposed city charter is revived, as it is about to be, by those civic associations which have come to exert such a commanding influence in the municipal life of Baltimore. Shall the subordinate civil service in Baltimore be filled by the public schools and honest labor relying only upon his own stout heart and arms, or shall it be filled by the politicians? That is the question which will shortly be addressed to the voters of Baltimore. I, for one, have but little doubt as to how it will be answered.

## The Development of Efficiency in the Civil Service.

ROBERT CATHERWOOD, PRESIDENT OF THE CHICAGO CIVIL SERVICE REFORM ASSOCIATION.

The city of Chicago is a billion and a half dollar corporation, with an annual budget of \$65,000,000, a payroll of \$25,000,000, and about 23,000 employees. If it be true, as recently suggested by Mr. Louis Brandeis before the Interstate Commerce Commission, that the railroads of this country can save one million dollars a day by paying more attention to increasing efficiency and improving business methods, and if it be true that municipalities are not so well managed as railroads, the need for genuine development of efficiency in municipal service is very great.

This efficiency problem, we submit, is essentially and inherently a problem of civil service administration. In Chicago it happens to be, in addition, a problem imposed by statute upon the administrators of the city civil service law. The duty "of investigating from time to time the conduct and action of appointees in the classified service," practically the entire service of the city with a few exemptions, and of "inquiring as to the nature, tenure and compensation of all offices and places in the city service," is mandatory upon the civil service commission. It must also use "ascertained merit" as a basis for promotion and, without the approval of any other authority, make rules, the breach of which is punishable, for carrying out the purposes of the civil service act.

Formerly, it was supposed that, in practice, the civil service commission could concern itself only with entrance into and removal from the service—with the two ends but not the middle. The middle was left to department heads, who became indifferent because they could lay all evils at the door of the merit system. On the other hand, the commission, having done the best it could on

an examination, washed its hands of the city employe and paid no attention to him unless he reappeared before it on charges looking to removal. The civil service commission buried most of its mistakes, after the alleged manner of doctors of medicine. If, after certification, things went wrong, it was no business of the commission.

This detachment of spirit from the practical daily problem of departmental administration and stern specialization on the front and back doors resulted in a situation which was no less than monstrous. The departmental trouble maker with a nice law point had, not only his day, but his weeks in court before the trial board. The commission went at a plain question of employment through pleas of "guilty" and "not guilty," answers, demurrers, rulings, citations of authorities and appeals, and, in the course of time, created a system of jurisprudence about the words "removed or discharged except for cause on written charges and after an opportunity to be heard in his own defence."

The courts of record, seeing all this law business going on so merrily before the civil service commission, took a hand in it themselves and began to elucidate the law with their usual clearness. Plainly, concentration on both ends was causing the middle to buckle. Was this the merit system which made responsibility uncertain, kept in service unfit men, tolerated ten men at one man's work, ignored conditions and methods in departments, denied intelligent co-operation to department heads, and had no concern where waste and inefficiency existed?

The concept of the unity of our municipal service; of the civil service commission as a body of employment experts, especially charged with the introduction and operation of working systems affecting the efficiency of employes, not apart from, but in intimate co-operation with the department heads; and of the commission as a constant force and source of expert advice for the promotion of efficiency and economy, gradually found favor with the people of Chicago. How to get a day's work for day's pay is not a departmental question, but a municipal question.

Now, attention to efficiency, through cost-figuring and recording, is as old as bookkeeping and scoring a ball

game. The merchant knows what the managers of his branch houses should accomplish and how many salesmen it will require to handle \$10,000 worth of goods of a given kind in a given period. A farmer, when buying fertilizer, figures price against probable increase in crops. He knows how many acres of corn land the hired man should plow in a day. But municipal governments have not consciously approached their problems in this way. They have not done much in cost-figuring their undertakings or in standardizing employment.

One reason why municipal governments have not comprehensively cost figured, or standardized their services, is that they have persistently divorced supervision from selection. As the head of every private business knows, employment is so intimately associated with methods of transacting business and working conditions that the two must be treated together. Expert selection of employees goes hand in hand with constant scientific study and treatment of methods and conditions under which employees must work. Nor can we reasonably expect politically appointed department heads, under present conditions in political life, to be in position to know and apply those nice details of business management which mark the difference between efficiency and economy on the one hand and inefficiency and waste on the other.

Some political executives are frankly opposed to economy and believe in lavish expenditures; some are not informed about their own departments or feel the task of promoting efficiency hopeless and themselves helpless; others having administrative capacity or facility in the problems of their service pass out of office when their experience has become of value. We submit that the business management of government, as distinguished from politics and the management which determines general policies, is best dealt with as a unit—a problem of the whole civil service—and that it should be dealt with scientifically by a single authority. The people are entitled to have their policies, whatever they may be, administered under businesslike conditions, by the best methods known to students of municipal affairs. And so the idea of a body of experts (if possible such as the New York Bureau of Municipal Research possesses)

working within the government itself under the direction of the civil service commission, in co-operation with department heads, if possible; if not, then in reliance upon the people of the city, and the provisions of the civil service act, has grown in public favor. We believe this sentiment contributed to the overwhelming vote in Illinois for "a comprehensive state civil service law, thus promoting efficiency and economy."

We should not for one moment forget that only beginnings have been made. It is in the hope that last year's practical administrative experience may be of use to other cities that we venture to call attention to the experimental work along this line which has been done in Chicago.

In December, 1909, I had the honor of submitting to this League an outline of a plan for efficiency recording and investigations. In January, 1910, this outline, which had been approved by a council commission on efficiency, was laid before the finance committee of the Chicago city council, with the request that the city appropriate \$50,000 to the civil service commission to carry it into effect. That outline appears in the printed proceedings of this League for 1909.

Before the council committee, the mayor, the civil service commission, the city comptroller, the commissioners of health and public works, the Civil Service Reform Association, and individual business men appeared in support of the appropriation. The press of the city was also favorably disposed towards the plan.

The committee held a two days' hearing. It then granted the civil service commission \$25,000. The civil service commission thereupon adopted efficiency rules embodying the plan and selected an efficiency examiner; in June a cost figurer and an investigator were added; in July two experts on police and fire; in August a civil engineer and five assistants were occasionally employed from the start, the whole work being especially under the direction of the president of the commission.

It was, of course, new work done by new men, feeling their way step by step from the theory and practice of private service to the theory and practice applicable to public service.

If we examine what has actually been accomplished,

two main lines of work are apparent. One, the more important, leads to greater departmental efficiency and better organization; the other, and the less important, leads to greater individual efficiency and fairness to employees.

Concerning the determination of individual efficiency, the records are used as a basis for promotion, reduction and discharge, as well as data for developing departmental and group efficiency. The new rules on efficiency require the examiners, under the direction of the commission, to make and keep a record of the efficiency of all appointees in the classified service, and to prescribe subjects based upon the duties of the particular office or place which shall fairly test the quality and the amount of service performed. 80 on the scale of 100 is taken as the standard of efficiency which ought fairly to be expected. Departmental superiors having men under their direct and immediate supervision mark these men only between 75 and 85, giving reasons for such marks. The civil service commission retains exclusive authority in markings above 85 and below 75. Within those limits it will investigate and correct only cases of alleged abuse, and where the alleged reasons are really immaterial; outside those limits it must, under the rules, investigate the reasons in all cases for the mark and make its own mark based thereon. All marks are checked with the statements of reasons therefor. For example, if speed is not one of the factors of a certain position a low mark made because a man was slow would be disregarded and the mark corrected.

In applying the rules for recording individual efficiency, it became apparent that the police and fire services required exceptional treatment. There was therefore installed a system of records, analogous to many service records, which, as is well known, contain in concise form the salient facts of each soldier's army history.

The general system of obtaining markings covering all other branches of the civil service is now in operation in all but two departments. Each employe has an efficiency card kept in the civil service office. On it monthly averages are extended from summaries of daily report sheets made out by departmental supervisors, each on the



men immediately under his direct supervision. In practice, the work of figuring and entering these averages is so simple that a single employe in the civil service office does it for the whole service, noting only variations or changes from the former mark. The daily report sheets furnished each superior contain the names of all the men immediately under him. On the sheet opposite each name are four columns headed respectively "quality of work," "attendance demerits," "discipline demerits" and "general average." "Quality of work" denotes the factors which go to make up the efficiency of that particular kind of employe. For example, clerks are marked by the chief clerk on "industry," "accuracy," "quantity of work" and "attitude," respectively; chiefs of bureaux and divisions by a department head on "executive ability," "initiative," "industry," "cost of work in charge," "supervision of subordinates." "Quality of work" is a credit column wherein the superior marks a percentage representing each man's approach to the standard of the day's work, as shown by reasons which are of record and capable of verification. He is required to make this mark at least once a month, and may do so daily. On each daily report sheet beyond the quality of work column are the columns headed "attendance demerits" and "discipline demerits." No positive marks are given here, but demerit points are charged:

(a) Under attendance, for absence and sick leave, one-tenth per cent. for each day not exceeding 30 days; same for absence on leave for any cause; absence without leave, one per cent. for each day; tardiness, two-tenths per cent. for five minutes, three-tenths per cent. for more than five minutes and less than one hour.

(b) Under discipline, an order of suspension for breach of duty, violation of regulations under 30 days is entered from one per cent. to six per cent.

Subtraction of demerits from the quality of work gives the general average. The computation is made in the civil service office.

Under the rules, whenever a general average falls

below 70 per cent., the head of the department is directed to prefer charges for removal, and if he fails to act upon such recommendation, the secretary of the commission must file charges. At the hearing the burden is on the employe to clearly disprove the truth, or validity, of the recorded reasons supporting the low mark.

In promotion, efficiency averages covering a period less than three months are disregarded, but, if they exist for a period of more than three months, they will be taken back as far as two years, or such part thereof as they may cover in the position from which promotion is sought.

Under the rules, the service records of the police must be kept for each member of the force. The service card bears the policeman's name, date and place of birth, date of entering the service, his occupation just prior thereto, and the date of promotion, if any, from the next lower rank. Under a heading "reprimands, fines, suspensions by the trial board" are entered the penalties imposed, the regulations violated, and the date thereof, the number of days of each absence from duty for sickness or other cause, except for injuries sustained in performance of duty and for annual furlough; the result of each annual physical and medical examination by the civil service commission; and the policeman's revolver qualification as ascertained by the drillmaster. The service records of patrolmen and sergeants are kept by the lieutenant in charge of the station to which the men are assigned. The records of lieutenants, captains and inspectors at general headquarters by the chief of police. Whenever a sergeant or patrolman is transferred, his service card is sent to headquarters and thence to the new station. In case the man applies to the civil service commission for examination, his card is sent there for translation into terms of efficiency averages according to a table of merits and demerits prescribed by the rules.

That exceptional acts of bravery by members of the police, involving serious risk of life, may receive proper recognition, all commanding officers are required to report in writing every such act of bravery, stating briefly the act done and giving the names of witnesses. In December of each year, the civil service commission and the chief

of police, sitting as a board of award, shall summon and examine all witnesses and award "commendation" or "honorable mention" according to the merit of the act or, in exceptional cases, "recommendation for the Harrison medal" for the most heroic conduct during the year. This award is entered on the service card as an efficiency credit. In computing efficiency averages, entries back five years are disregarded and more than two years back have a diminishing value. It is thus possible for a man to live down a bad entry on his record in five years.

The establishment of the standard of employment for each position—that is, the determination of the amount of work of a certain quality which ought to be marked 80 on the efficiency records of individuals, is so intimately associated with departmental or "groupal" efficiency, with organization and departmental methods, that treatment of one necessitates treatment of the other.

What is a day's work for a day's pay? To take a concrete illustration, in standardizing the work of teamsters in the bureau of streets it was found that 30% of the men went home every day at one o'clock, and none of them hauled over six loads per week. The teamsters were not altogether to blame. A minor change in re-routing brought the standard up to nine loads a week, and a change in the location of dumps, now under consideration, would bring the standard up to twelve loads a week. Even then the standard is not high. In the process of standardizing teamsters' duties, an entire grade known as teamsters' helpers was abolished as utterly useless. In this same bureau there were no regulations in accessible shape. The efficiency examiners had to cause to be made and assist in compiling the regulations from statutes, ordinances, letters, tradition and conflicting understandings. This compilation led to the discovery of long lost supervising officers. A few simple regulations on supervisory duties and methods, once clearly understood, resulted in an increase of 20% in the weight of teamsters' loads. Disregarding the increased efficiency, the saving in money effected by these minor changes was \$77,000 a year.

The standard established is extremely low and is merely tentative, pending another study of the situation.

In fact, in only the police and fire departments, the public library, skilled labor service, watchmen, certain grades of clerks and certain technical and engineering positions, can the standard be described as definitely fixed, while tentative standardization is slowly proceeding throughout the service, pending changes in organization, methods and systems, which, of course, import revision of standards. In skilled labor the trades union standards in private service are taken and the supervising officers will be penalized on their own efficiency record until they bring their men up to this standard.

In the case of the superintendent of sewers, charges looking to removal were preferred for the way in which he handled the affairs of his bureau. After a hearing in his own defense, the civil service commission ordered his removal for inefficiency. Lack of supervision, a painful uniformity in time sheets, the practice of allowing laborers to make out their own pay-rolls, proof that his gangs did not render value received for their pay, and an elaborate report on comparative costs based upon obviously inaccurate data, were responsible for this decision. This superintendent had been twenty years in the service. He was personally industrious, easy-going, and of unquestioned honesty. The efficiency examiners assisted in the reorganization of his office and field force, recommended changes in methods of catch-basin and sewer cleaning, and in supervision pending the passage in the city council of an ordinance based upon this investigation abolishing the bureau altogether, and dividing its functions among the bureaus of engineering, the bureau of streets and the department of health. If the recommendations of the efficiency experts are followed, the mere operation of the same activities of the bureau of sewers would show a saving of \$69,000, disregarding improved service.

In making their investigations the efficiency examiners are, of course, obliged to go out in the field and observe operations. Departmental records and the rules and practice of other cities are consulted wherever practicable. Department heads have given cordial co-operation and have constantly asked for special reports.

At the request of the commissioner of public works, a study of conditions, apparently leading to duplications

of work by bureaux in the department, was undertaken. The simple expedient of consolidating water, sewer and street bureau offices with ward yards in certain locations, it was found, would eliminate items of maintenance and salaries aggregating \$52,141 a year. Owing to the fact that certain valuable supplies, formerly stored in vacant lots without a watchman, are now locked up and watched, it is certain that in time an additional saving may be shown.

The standardization of employment showed that the civil service classification of engineering positions in the city service was wrong, and this entire service had to be reclassified and examination standards both for original entrance and promotion changed.

In another field, the efficiency examiners did valuable service. They unearthed wholesale frauds in the issue of licenses to unqualified persons to practise as engineers in private employ. The records of the board concerned were audited from the time of its creation to the present time, and a new system of examining, verifying and checking licenses was installed. When the unauthorized licenses were traced out and cancelled, the employees responsible took French leave.

In standardizing the work of city milk inspectors sent to dairy farms in country districts outside the city, nine inspectors were under observation for twenty-five days. Against two of them charges have been filed and several others are under suspension as a result of this investigation. The absence of official regulations, inadequate supervision, and the lack of a routing system permitted loafing, delegation of duties to interested persons, insufficient inspection of milk and improper use of badges and uniforms.

Concerning meat inspections, regulations adopted on the advice of efficiency examiners, relative to hours, uniforms, routes, times for telephone reports and penalties for delegation of duties to friendly railway and express company employes, brought distinct improvement in the service.

In an examination of the police department, police and fire experts were employed as special examiners. They conducted a six months' investigation of the Chi-

cago police department, in the course of which they visited New York, Boston, Washington, St. Louis and Cincinnati, and studied police methods for suggestions applicable to the Chicago situation. They made nineteen recommendations which were so sweeping in character, though admittedly sound in principle, that it was deemed wise to defer adoption of all but two of them to some more auspicious occasion.

The recommendations adopted were the establishment of a police school for probationers and the creation of a police reserve. After inspection of several proposed locations, the school was established by order of the chief of police in the finest and most modern police station in the city, October 10, 1910. Thirty-two recruits were assigned to this station. The rules and course of drill and study prepared by the efficiency examiners were embodied in a general order of the chief of police. Certain police officers, a doctor from the health department, and a member of the law department were detailed to give instruction. The city fire marshal, the commissioner of health and the commissioner of public works requested an opportunity to instruct the police recruits on certain phases of inter-departmental duties. The course of study in the police school is eight and one-half hours, five days a week for four weeks continuously, and thereafter five months partly in the school and partly on service in uniform. It includes police drill, calisthenics, target practice, training the faculty of observation, first aid to the injured, departmental rules, statutes and ordinances, sanitary regulations, handling traffic, city government, city geography, care of equipment, police duties in typical cases, criminal law, the rights of citizens, gambling devices, humane treatment of animals and preparation of reports. The recruits are drilled daily. At the end of one month they are used as a reserve to take the places of patrolmen sick or on furlough. Upon the showing made by recruits will depend whether the chief of police will accept them at the end of the six months' probationary period established by the civil service law. This school is about to be extended to take in one patrolman from each of 44 precincts for instruction for a four weeks' period. The lectures are printed for free distribution throughout the

force. The gains in efficiency in the police service procured by this school are obvious.

In the same way, and along somewhat analogous lines, the efficiency examiners have assisted in installing a school for probationers in the Chicago Public Library. This school differs from the police school in that it is open, not only to probationers, but to candidates for library service, who contemplate later on submitting themselves for a civil service examination. It also serves employes who desire to prepare themselves for promotion. The school is under the charge of the librarian, himself a civil service appointee.

At the request of the finance committee of the city council, one of the efficiency examiners is constantly in attendance during the preparation of the 1911 budget. Requests for increases of salary, whether by employes, aldermen, citizens, department heads or boards, and all matters affecting uniform grading and classification are referred to him. He is also required to classify new positions created by ordinances involving expenditure of money in accordance with council resolutions on uniform grading. These are his regular duties. But the finance committee also requires reports on a great variety of other subjects. As an example, the last request which the writer noted was that the efficiency division prepare and submit to the finance committee information showing whether the bonds of employes are according to law, whether they are, as a matter of fact, furnished in all cases as required by law; how the premiums paid compare with the best market rate, and who has the physical possession of the bonds. The examiners were requested to work out a uniform bonding system according to law. In fact, the mayor, the department heads, the committees of the city council, and the bureau chiefs are continually asking for information on a variety of questions more or less directly related to employment.

If we look at the saving in money alone effected by the efficiency division, the city of Chicago can well afford, in 1911, to double last year's appropriation for this work. If we judge by the increased return for a given outlay, the saving is far greater. These things have been demonstrated.

The budget for 1911 is in course of preparation, and Chicago civil service advocates are, I believe, ready to join department heads in asking that the appropriation for this work be doubled. To those who have closely watched the development of efficiency in Chicago, the initial experiences and successes there are not without their value to other cities. Indeed, the broad principles of this part of the merit system are so sound that development ought to be taken up in state and national services. One of the most encouraging incidents of the year has been the interest displayed by the National civil service commission. President Taft's statement in his recent message "that given the selected employe, there still remains the question of promoting his efficiency and usefulness to the government," and the soundness of his argument go far towards making this question what it should be—a national issue. In leading public opinion on this issue, municipal, state or national, one of the great agencies surely must be the National Civil Service Reform League.



## The Boston Plan—Appointments of the Mayor Subject to Approval by a Civil Service Commission.

HON. JOHN F. MOORS, MEMBER OF THE FIRST BOSTON  
FINANCE COMMISSION.

In the amendments of 1909 to the charter of the city of Boston provision is made for confirmation by the state civil service commission of the mayor's appointments of heads of departments. The system accords with the principles but not with the accepted method of civil service reform. The president of the Massachusetts Civil Service Reform Association appeared before the body which framed the charter amendments and urged that the system amounts to a mere pass examination and that such examinations have in practice proved failures. Nevertheless, today, in the presence of the National Civil Service Reform League, I welcome the opportunity to expound and, if need be, to defend this system as it has been applied to conditions existing in the city of Boston and the Commonwealth of Massachusetts.

The provisions of the charter amendments which I am to discuss are as follows, viz.:

Section 9. All heads of departments and members of municipal boards, including the board of street commissioners, as their present terms of office expire (but excluding the school committee and those officials by law appointed by the governor), shall be appointed by the mayor without confirmation by the city council. They shall be recognized experts in such work as may devolve upon the incumbents of said offices, or persons specially fitted by education, training or experience to perform the same, and (except the election commissioners, who shall remain subject to the provisions of existing laws) shall be appointed without regard to party affiliation or to residence at

the time of appointment except as hereinafter provided.

Section 10. In making such appointments the mayor shall sign a certificate in the following form:—

#### CERTIFICATE OF APPOINTMENT.

I appoint (Name of Appointee) to the position of (Name of Office) and I certify that in my opinion he is a recognized expert in the work which will devolve upon him, and that I make the appointment solely in the interest of the city.

Mayor.

or in the following form, as the case may be:—

#### CERTIFICATE OF APPOINTMENT.

I appoint (Name of Appointee) to the position of (Name of Office) and I certify that in my opinion he is a person specially fitted by education, training or experience to perform the duties of said office, and that I make the appointment solely in the interest of the city.

Mayor.

The certificate shall be filed with the city clerk, who shall thereupon forward a certified copy to the civil service commission. The commission shall immediately make a careful inquiry into the qualifications of the nominee under such rules as they may, with the consent of the governor and council establish, and, if they conclude that he is a competent person with the requisite qualifications, they shall file with the city clerk a certificate signed by at least a majority of the commission that they have made a careful inquiry into the qualifications of the appointee, and that in their opinion he is a recognized expert, or that he is qualified by education, training, or experience for said office, as the case may be, and that they approve the appointment. Upon the filing of this certificate the appointment shall become operative, subject however to all provisions of law or ordinance in regard to acceptance of office, oath of office and the filing of bonds. If the commission does not within thirty days after the receipt of such notice file said

certificate with the city clerk the appointment shall be void.

To understand the full significance of this arrangement, which leaves the appointing power in the hands of the mayor, elected by the citizens of Boston, but places confirmation in a commission appointed by the governor of the Commonwealth, it is necessary to take a brief glance at certain historical developments and at the peculiar relationship which exists between the Commonwealth of Massachusetts and its capital city.

Boston became a city in 1822. While the Mayor was declared in the original charter to be "the chief executive officer" of the city, he became in fact little more than chairman of the board of aldermen. The city council consisting of two chambers, the board of aldermen and the common council, mingled administrative and legislative functions, the executive work of the city being carried on by committees of the city council, acting at first themselves, later through officers elected by them to manage such departments as were created. The mayor was given no veto and no power to perform the executive work of the city.

In 1854 what professed to be a new charter was adopted, the mayor being given a qualified veto over some acts of the city council; but his vote in the board of aldermen was taken away and the government of the city was left more than ever in the hands of the city council and its committees.

In 1885 more important changes in the city charter were made, the essential feature of these changes being the transference to the mayor of all executive powers, to be exercised through the heads of the several departments under his general supervision and control. Except in the case of the city clerk, clerk of committees, city messenger and persons elected by the people, he had the power of appointment, subject to confirmation by the board of aldermen.

These changes were adopted because the city government seemed to have failed to perform its functions properly. A commission appointed by the city council reported in 1884 that "the frequent and notorious charges of inefficiency and corruption made by members of the city gov-

ernment against each other and the alarming increase in the burden of taxation are matters within the knowledge of all."

Eloquent testimony to the preponderance of evil over good in confirmation of appointments by the board of aldermen is to be found in the deliberate denial to the aldermen of such power when three unpaid charitable departments were created in 1897 and a schoolhouse department was created in 1901. This kind of confirmation had grown to be recognized as a danger rather than a safeguard.

Though conditions prior to 1885 had seemed "notorious" and "alarming," they became actually a standard of efficiency as compared with those in the deplorable years which later developed. Time has largely obliterated the shortcomings of those earlier years and left only the memory of a prosperous, if not a well-governed city. In 1906 and 1907 a crisis was reached. The spoils system, then long gaining sway more and more ominously, "was pushed to its logical end,—waste, inefficiency, corruption and fraud. The process was applied to every department whose governing head was not strong enough to resist. Few escaped its corroding influence; some wholly succumbed." Experts estimated that in five departments alone the waste in these two years was not less than \$1,900,000.

About August 1, 1907, an official investigating body, known as a finance commission, with large powers of summoning witnesses and obliging them to testify, was appointed. It worked for one and a half years, i. e., till February, 1909, gaining to a rare extent the confidence of the community and having thrust upon it the task of recommending to the Massachusetts legislature such changes in the city charter as seemed to it advisable. The provision that appointments of heads of departments should be made by the mayor and should be confirmed by the state civil service commission was one of the recommendations of this finance commission.

This brief historical sketch brings us to the peculiar relations which exist between the Commonwealth of Massachusetts and the city of Boston.

Massachusetts has long been and normally is still a

strongly Republican state, with the dominant race Anglo-Saxon. Boston is an even more strongly Democratic city with the dominant race Irish. Consequently there have arisen prejudices, political, racial, sectarian, historical, which make state control of city affairs seem to many persons an almost intolerable infringement of home rule. Moreover, while the state is becoming less and less strongly Republican, the city is becoming more and more strongly Democratic.

The commission which devised the charter amendments of 1909, including the provision that appointments of heads of departments should be made by the mayor of Boston, subject to confirmation by the state civil service commission, was composed of practical and successful men of affairs, lawyers and business men. A practical and successful working arrangement was naturally their first concern. But beyond that they had visions—very distinct visions—of what our democracy was trying to accomplish. If it was trying to produce merely good mechanism, merely automatic devices for administering the affairs of government without thought on the part of anybody, then such a scheme as that of the civil service commission handing down to the mayor the names of those whom he must appoint as heads of departments, as the names of subordinates under the old law are handed down, might be as good a scheme as any other.

The finance commission, however, conceived that the ends of democracy could not be served by such mechanism, however smoothly it might run. Indeed, the more smoothly it should run the more would the mayor, elected by the citizens of Boston, become a figure-head and the more would the citizens of Boston cease to feel their political and civic responsibility.

I can assure you, however, that such a scheme could not have run smoothly. Years ago authority over the police force was taken from the city of Boston and put in the hands of the state. Though the police department was manifestly improved by this change, the wrath of thousands of baffled Boston citizens continued to smoulder for years and from time to time to flare up. The more serious blow to local self-government involved in the proposition that the state should select by any process

and dictate to the elected mayor of Boston those whom he should appoint as his department heads would have caused a storm of immeasurable proportions.

A fundamental purpose in the whole body of charter amendments, conceived by the finance commission and adopted by the legislature of 1909, is responsibility of the people to be developed through enlightenment. For this purpose the size of the municipal ballots was so reduced that in no year can there be more than six candidates elected and in some years there are only four. By contrast, consider that in 1903 there were eighty-two names on the Boston municipal ballot. Again, all party designations were removed from the ballots in municipal elections, that people might no longer be able to fall back on mere party regularity. Yet again great powers were put in the hands of the mayor that people might focus their attention on a single office, instead of confusing their minds with a multitude of minor offices and officials. Lastly, a new finance commission was created, whose primary purpose was to be forever watchful and to inform the people of how their affairs were being managed.

Vesting responsibility for appointments of heads of departments in the mayor was thus part and parcel of one of the fundamental theories of the charter amendments.

History shows that laws are usually framed with a distinct desire to promote the public welfare. In the Massachusetts statutes such good intentions abound. But almost equally universal has been the deliberate and too often the successful purpose of city politicians to beat the laws. The test of a law is therefore its practical effectiveness. On the one hand, that the law now being discussed is in spirit not a lapse to the spoils system is shown by the certificate which the mayor has to sign, to the effect that each appointment is made on a basis of merit. On the other hand, I have no hesitation in saying that after nearly a year of experience with this law it has, on the whole, worked extremely well. No test would, I assume, be necessary to persuade you that such a law would be admirable in the case of a mayor altogether in sympathy with it. The test in Boston has been made with a mayor

admittedly out of sympathy with it,—the same mayor who was in office in the wasteful years 1906 and 1907. His reappointments have mostly been good. He has made 41 new appointments; of these 21 have been confirmed, 20 rejected. The new appointments as a whole show slight, if any, improvement, over those of his former administration. The confirmed appointments are such as to make the present work of department heads in the main fairly good. Conceivably the mayor would originally have made better appointments this year if he had not trusted to the sifting process of the civil service commission to weed out those of his political adherents to whom he did not himself like to say "No". I hardly think, however, that such is the case, my belief being that whatever excellence now prevails in the new heads of departments would not have been possible without the civil service laws. Much the most important of all the appointees, the superintendent of streets, has in a few months won his way with all classes. The new fire commissioner, a new school-house commissioner, and a new health commissioner have taken hold of their duties in an earnest and progressive spirit.

Perhaps you ask whether, under present conditions, even better results would not have been produced if names had been handed down by the civil service commission. There have been lately some notable indications that the greater safety has been found in the present law. Recently it was proposed to merge the street, the water and the engineering departments. This would leave only one instead of three of the Mayor's appointees to pass the civil service commission under the new law. Immediately public spirited citizens began to express alarm lest the city would be unprotected from the spoilsmen. Such citizens were not reassured when shown that the new subordinates, who, under the consolidation would take the place of the old heads of departments, would come down from the civil service commission in the orthodox fashion after having passed examinations. "There are too many ways of beating that system" cried the knowing. In fact, two well-known politicians some time ago passed examinations entitling them to positions in the street department. There are credible rumors that

nothing has kept one of them from getting a coveted position except the independence and courage of the head of the department appointed by the mayor and confirmed by the civil service commission under the new law. If this rumor is true the new law is protecting the city from the operation of the old law.

Of course the new law can be nullified by undermining the civil service commission, and many persons have feared that the newly elected governor bound himself to do this to secure his election. I have the best of authority for believing that this is not true.

The present system of confirmation allows a good mayor the greatest latitude in making appointments, and such a mayor should logically be thankful for such a law, since he can tell the typical office-seeker, "Alas! the civil service commission would not pass you." The law checks only a mayor who is not zealous to select persons who are qualified. This again is in keeping with the whole spirit of the charter amendments. To the well-meaning mayor there is the greatest opportunity for public service; for him who does not mean to do his full duty, there are checks and there are critical eyes to watch him,—critical but hitherto always zealous to be just.

Lastly, the fundamental differences between the old method of confirmation of appointments by the aldermen and the present method of confirmation by the civil service commission are these: (1) The civil service commission has only the duty of guarding the community from improper and assisting it to proper appointments to office, and can be held to strict account on this one issue, while the aldermen in the old days had such varied duties that delinquencies in their work of confirmation might be offset by popularity in other respects; (2) The state civil service commission, unlike the aldermen, has behind it different political influences and a different constituency from the mayor. It is not, like the aldermen, elected by the same people as the mayor, perhaps at the same time.

It is not always easy to maintain one's courage while striving for improved municipal conditions. Friends differ as to details, the public at large seems sometimes hopelessly heedless. Appeals to the better nature of King Demos do not always bring the desired response. But in



Boston there have been extraordinary reforms, and under the new charter amendments the opportunity for further improvement is better than ever before. The people are today responsible. They know their government as heretofore they have not known it. Their mayor has in the matter of appointments of heads of departments a free hand, except that he may not make improper appointments and expect them to be confirmed. As the number of these heads is reduced through consolidation of departments, those who remain will become more than now like the mayor's cabinet. With few exceptions bad appointments have been effectually nullified. Good appointees have had no difficulty in being confirmed. By the professional politician, to whom office seeking is a means of livelihood, the new law, as it has been interpreted and put into effect, has been more dreaded than any other civil service law among our statutes.

## The Striking Features of the Kansas City Civil Service Commission.

HON. JAMES W. S. PETERS, OF THE KANSAS CITY CIVIL SERVICE COMMISSION.

Messrs. E. C. Meservey, an ex-city counselor, John H. Thacher, a member of the Kansas City Charter Board of 1908, and James W. S. Peters, were appointed civil service commissioners April 26, 1910, by the duly elected Republican Mayor, Darius A. Brown, to organize a new system of civil service for Kansas City.

Kansas City has the power to frame its own charter. Exercising this power by a three-to-one vote cast August 4th, 1908, it adopted a charter incorporating stringent civil service provisions to become effective at the beginning of the fiscal term of 1910. One unusual and one unprecedented feature were in this civil service law. In the first place, the charter required the commission to certify for appointment to the appointing officer the candidate standing highest on the eligible list resulting from an open, public and competitive examination and in the second place, the charter endeavored to sweep the deck clean for an entirely new manning of the municipal ship, by providing that incumbents of all positions at the time the charter took effect should continue in service until the commission should promulgate rules and obtain an eligible list, whereupon such incumbents should be deemed to have vacated their several positions.

Looking the cold logic of this situation boldly in the face the commission convinced itself that there were three urgent necessities demanded of any methods adopted in carrying out their civil service plans. First: To adopt some method of ascertaining merit and fitness that would not only ensure technical knowledge, but also ability in the person selected to handle an oar or command a ship at once;

Second: To hold the ship off the rocks while changing the personnel of its crew ; and

Third: To keep the passengers in a placid frame of mind meanwhile.

Where the top man is certified for appointment greater responsibility is thrown on the civil service commission than where the appointing power has choice of three or four successful candidates presented to him. In the former case the appointing officer has no chance at that stage of the proceeding to come face to face with several candidates and decide among them but must take the one offered him however unpromising the personality, and probable administrative and executive ability of such candidate may appear to him after inspection.

Before deciding in any case whether civil service or, in fact, any other function of municipal government in any particular city is being worked out on proper lines, it is necessary to know somewhat of the spirit of the city and its general ideas of municipal policies. Kansas City, practically from its inception as a city, not a half century ago, has used committees of citizens in a supervisory capacity for its several departmental bureaus, serving much in the same way as directors of corporations, or committees of typical English cities, or the trustees of colleges and universities. In the charter of 1908, the main body of the administrative functions of Kansas City falls under the control and charge of the boards of citizens, three members to each board, with overlapping terms of three years each, serving for the most part for no other pay than the satisfaction of feeling that they are doing that prime duty of citizenship which is the trade mark of the Commercial Club, "Make Kansas City a good place to live in." These boards are the board of public works, charged with all municipal properties and having sub-departments of engineering, street repairs and street cleaning, and for the supervision of municipal improvements such as grading, paving, drainage and sewerage ; the fire and water board, responsible for the city fire department and superintending the \$5,000,000 waterworks plant owned by the city ; the park board, building up and maintaining 45 miles of boulevards and parks aggregating 2,465 acres, representing an actual investment by the city

of over \$10,000,000; and the hospital and health board vested with the responsibility of preserving and promoting the public health and having control of all the city's hospital arrangements. In addition to these boards there are also similarly constructed boards as follows: The public utilities commission, the civil service commission, and the board of public welfare, the last named constituted not by the charter but by ordinance provisions, to superintend the city workhouse, the municipal farm, and such benevolences as the city sees fit to undertake in the nature of public charities. So far as civil service is concerned these boards are really the appointing heads of city bureaus. The comptroller and treasurer, both elected; the city counselor, assessor, auditor and purchasing agent, appointed by the mayor, and the city clerk, elected by the two houses of the common council are additional heads of departments not subject to any board. The legislative department of the city is vested in a bicameral council of sixteen members for each house.

Under the civil service enactments all these board members and other designated heads of departments are in the exempt class, as is also a secretary for each of the boards; two deputies for the comptroller, three deputies for the city treasurer, one assistant for the city counselor and one assistant for the city clerk; the fire chief, the landscape architect for the parks, the commissioner of health and the superintendent and visiting physicians of the hospitals. The whole residue of the city's officers and employes is subject to the competitive merit system.

In Kansas City neither the schools nor the police is subject to the civil service system of Kansas City as neither is under the jurisdiction of the city government. The former are managed by a board of education of six members elected by the voters of Kansas City, but the department is in law a part of the state and a corporation distinct from Kansas City. The police are supervised by a board of three members, two appointed by the governor of the state, the mayor being *ex officio* the third member. The only legal connection Kansas City has with the police department is to pay its bills when rendered, with no substantial method specified in the law for con-

trol thereof except by moral suasion. The police board has charge of granting and revoking saloon licenses which makes that body a very potential machine. There is a growing sentiment in Kansas City that the police should be put under civil service rule and there is a provision in the Kansas City charter that the provisions of the civil service article shall extend to and govern the police department whenever and so far as the state laws shall authorize or permit.

After receiving their appointment the civil service commissioners visited Washington, Philadelphia, Boston, New York and Chicago investigating the best modern methods of civil service both in the workings of the various civil service commissions and by conferences with outside civil service experts. The commission feels that civil service in Kansas City and the city itself is especially indebted for valuable assistance and many courtesies to Clinton Rogers Woodruff of Philadelphia, Elliott H. Goodwin, Elton Lower of Chicago; John C. Black of the United States Commission; S. William Briscoe of New York; Warren P. Dudley of Boston; Delos F. Wilcox and R. H. Dana of Boston.

After organizing the Commission appointed E. M. Bainter, who was vice-principal of Manual Training High School of Kansas City, Missouri, as its secretary and chief examiner. The city appropriated \$20,000 for its first year's work and the commission now has commodious quarters with an office force consisting of the secretary and chief examiner, two assistants and two clerks—all except the secretary selected by civil service examinations.

By the courtesy of the United States civil service commission its secretary Mr. John T. Doyle, a man who has been identified with this movement practically from its inception, spent two months in Kansas City assisting by his advice and presence to bring a real merit system into being and the city, as well as civil service in the entire Southwest, owes a debt of gratitude to him and to the United States commission for his inspiration to square deal government.

After pondering over the situation and consultation with Mr. Doyle and other experts the commission began

its inauguration of civil service with the following agreed general principles:

First: To employ as examiners for each examination a board of citizen experts, preferably three, to co-operate with the commission and its secretary, in formulating examination questions and lists, to conduct the oral examining in person and actually to grade the papers. It is believed by the commission that this policy inspires the public and applicants with confidence in the fairness of the system and with the feeling that the applicants are tested by persons capable of treating them fairly according to relative merit, not only as to their technical knowledge, but also as to their executive and administrative ability. The plan adopted spreads abroad in the community knowledge of what civil service really is and is trying to accomplish under methods pursued by the commission, thereby building for the system a foundation of popular sentiment in its favor and a demand for its continuance as a fundamental necessity of city government. Before this preliminary work of civil service is completed it is probable that two hundred and fifty or three hundred citizens, experts in the various specialties of city endeavors, will have learned first hand what civil service means, will have lent a hand to accomplish its ends and after their experience will be active advocates of the merit idea. Prof. Carl Fish in his "Civil Service and Patronage" says: "What people can see and touch and find good they will have."

Second: In starting the merit system the plan is being pursued as far as practicable of holding examinations for the higher positions first. This will assist discipline, as subordinate employes will feel that those having control over them hold permanent positions acquired by personal merit and are not merely holding on precariously awaiting a call, any minute, from the civil service bureau to compete for their positions. It is of service to the commission and the boards of citizen expert examiners to have the co-operation of officials who have established their merit and ability in open competition, in framing examinations and lists for subordinate employes in their departments.

Third: The commission is by force of circumstances at present without any previous scientific classification of

the whole employments. It is admitted that this is essential to a complete civil service system in its best form. But so many employments at present on the city payroll exist under titles that improperly or inadequately describe the duties to be performed, and the rates of salary paid are in so many cases unequally adjusted to duties performed that a complete readjustment and systematized classification, practically final, would as proven by Chicago's experience be the work of years. For the present examinations are held for the most part within the several departments without cross classification. It may be that after the system is on its feet a more complete and scientific classification of all the city's employments can be worked out satisfactorily. But now the problem is to fill the city employments by a merit system as rapidly as honest and fair tests will admit.

The charter provides that when no examination whatever is required by the commission, laborers shall be put on eligible lists in the order of presenting their applications, but also gives the commission entire discretion to hold examinations for laborers where they deem proper, and establish lists in respect to age, residence, physical conditions, ability to labor, skill, capacity and experience in the employment for which application is made. Separate lists may be made in the labor class on the basis of kind of employment, or for various institutions or departments or by local districts as the commission may decide. The Kansas City commission has not yet made any certifications in the labor class, but is investigating local conditions and the practices in other cities in an endeavor to work out the best general plan to adopt.

It is probable that competitive tests will be established for a large portion of the laborers belonging to the several city departments making separate tests for each department with empowerment of one department to draw on others when its lists are exhausted; and that where no examination is deemed necessary registration by districts will be the rule. The commission believes that having several places of registration, rather than one, will make it more difficult to use the system politically.

In reference to discharges and removals it is provided, that heads of departments shall have power with-

out trial to remove employes whenever in their opinion the good of the service requires the exercise of such power; but must give the person thus removed a correct statement in writing of the reason for discharge. No removal can be made because of political or religious opinion. As a check on this absolute power of removal the charter provides that the civil service commission may make investigations of removals if they deem advisable and if they find that dismissals are being made for other reasons than the good of the service they may report to the mayor, who is empowered to remove such heads of departments, the report of the commission being deemed sufficient cause therefor.

Civil service has started out with a good foundation of moral support in the community. The mayor has at heart the desire for success of the merit system. The Commercial Club, City Club, industrial unions and other influential associations stand committed to it, and the Kansas City Star, the most influential newspaper in the Southwest, loses no opportunity to lay a deep foundation for a sound public sentiment. Even the politicians are at last convinced that the city administration really means to put the merit system into effect and are ceasing to lay siege to the mayor to make exceptions and appointments against its spirit and letter.

Up to date 84 examinations have been held—201 positions have been filled—1375 applications have been filed—1203 applicants have been examined of whom 507 succeeded in being placed on the eligible lists and 696 failed to qualify.

The commission estimates that the successful candidates are about equally divided as to national politics, though there are no records on file in the office giving this information. It is only by accident that the politics of any applicant is known and the commission has never taken any steps to ascertain.

For the examination for city engineer, held July 7, 1910, salary \$4,000 a year, the examiners were Major E. H. Schultz of the United States Army Engineers, located in Kansas City for river protection work; E. I. Farnsworth, for several years member of the board of public works and now a member of the fire and water board,



and J. L. Harrington, member of the firm of Waddell & Harrington, leading bridge construction engineers, known over the whole Southwest.

On July 14th an examination was held for two assistant city counselors at salaries of \$3,000 each, two at \$1,860 each, and two claim agents for the law department. Appointees were selected to fill these positions from nine applicants for the \$3,000 positions, forty-four applicants for the \$1860 positions, and thirty applicants for the positions of claim agents by J. V. C. Karnes, one of the oldest and most respected members of the Kansas City Bar and twice chairman of boards of freeholders drafting a city charter; F. F. Rozzelle, an ex-city counselor, and Justin D. Bowersock, special counsel of one of the largest trust companies in Kansas City and now president of the City Club. The scope of the examination and weights for the \$3,000 positions were as follows:

1st—Principles of law and equity as applied to causes in which the city may be interested, weight 55 per cent.;

2nd—Experience in trials of causes, preparation of contracts and ordinances and knowledge of the city, with oral, weight 30 per cent.;

3rd—Charter and duties of office, weight 15 per cent.:

In the examination for superintendent of buildings, salary \$2,000, held July 22, 1910, the examiners were S. E. Edwards and Henry F. Hoit, prominent architects, who were authors of the present Kansas City building code. Mr. Hoit is architect for some of Kansas City's largest office buildings and churches and was architect and designer of the Industrial building at the World's Fair in St. Louis. The examination was divided and rated as follows:

1st—Training and experience, weight 20 per cent.;

2nd—Technical knowledge, weight 70 per cent.;

3rd—Knowledge of duties set forth in the building code, weight 10 per cent.;

In the examination for inspector of weights and measures, one position to fill and 75 applicants, held on July 19, 1910, salary \$1200, the examiners were J. C. Lester, of the Ridenour-Baker Grocery Company, now president of the Commercial Club; T. G. Hallinan, manager of

the Howe Scales Company in Kansas City, and J. W. McCoy, superintendent of the William Volker & Company, one of the largest mercantile houses of Kansas City. This examination was weighted as follows:

- 1st—Duties of position, weight 30 per cent.;
- 2nd—Experience tending to qualify, weight 30 per cent.;
- 3rd—Arithmetic, weight 15 per cent.;
- 4th—Penmanship and ability to make reports, weight 25 per cent.

In the examination for market master, held August 2, 1910, salary \$1800, 30 applicants for one position, the examiners were Fred Wolferman, wholesale and retail grocer; John Tough, ranch owner and farmer, and T. Lee Adams, fruit and produce commission merchant. This examination was divided as follows:

- 1st—Education and experience tending to qualify for the position; weight 60 per cent.;
- 2nd—Duties of the position, weight 10 per cent.;
- 3rd—Paper, weight 10 per cent.;
- 4th—Technical knowledge required in discharge of his duties, weight 10 per cent.;
- 5th—Arithmetic, weight 10 per cent.

After this examination one of the examiners was so impressed with the importance of his decision that he of his own motion looked up the successful applicant and had a heart to heart talk with him, impressing upon him the fact that the examiners felt personally responsible for his "making good."

In the examination for book-keepers in the offices of auditor and comptroller, salaries \$1500, 25 applicants to fill two positions. The examiners were W. T. Kemper, president of the Commerce Trust Company; C. S. Jobs, a banker and formerly a bank examiner in the United States service and Francis A. Wright, president of the Kansas City society of expert accountants.

In this examination one of the practical tests was the proper entry of over two hundred items in bookkeeping form, credit being given for time taken up in making entries, as well as correctness of results.

The examination for superintendents of the work-

house and of the city's municipal farm was made by William Volker, a capitalist and merchant who gives largely of his time and money to benevolent objects and is a member of the city's board of public welfare; Jacob Billikopf, superintendent of the Jewish Educational Institute, having charge of the Jewish charities of our city, and Walter C. Root, ex-president of the City Club and a leading architect, a man who has made a special study of modern treatment of the criminal class. In this examination, in addition to other tests, was a paper on "Aims and purposes of workhouses and municipal farms," with a weight of 20 per cent. of the whole examination.

On November 12th, examinations for elevator inspectors and deputies, mechanical engineers and assistants, stationary firemen, boiler inspectors and deputies and elevator operators, 71 applicants in all, were conducted by D. D. Neville, superintendent of Kansas City Bolt & Nut Company and C. E. Fritts, electrical and mechanical engineer for the Metropolitan Street Railway Company. The examination for stationary fireman is thus discussed by the Kansas City Post, a newspaper which heretofore had opposed the civil service system:

"Last week, a half-dozen men were examined as to their abilities as firemen. The principal feature of the contest took place in the boiler room of Central High School. There the applicants shucked their coats and gave actual demonstrations in the art of shoveling coal under the eyes of experts. They showed in a practical way how they would go about it to get the greatest amount of heat out of the least amount of fuel. They wanted to shovel coal, so they were not asked to bound Tennessee. They were asked to shovel coal. The Post has found some faults heretofore with the application of the civil service law, but it has nothing but approval for the manner in which the test for firemen was made. If the examinations hereafter are similarly conducted the city should soon have as competent a set of servants as can be found anywhere."

After this examination Mr. Fritts suggested to the civil service commission that after the city had made its quota of appointments from the eligible list of stationary firemen he desired permission to employ the next three

highest on the list for places with the Metropolitan Street Railway Company.

On October 15th an examination was held for the position of municipal librarian, newly created in Kansas City. This is the second city to establish a position of municipal statistician and librarian, following example set by Baltimore, having a valuable collection of books, pamphlets and scientifically arranged municipal facts under charge of Hon. Horace E. Flack. For this examination, salary \$1800, the examiners were Mrs. Carrie W. Whitney, librarian of Kansas City, Missouri, a library having approximately 125,000 volumes; Prof. Blackmar, dean of the Graduate School of Kansas University; Charles A. Summer, secretary of the City Club, and L. A. Laughlin, a lawyer and expert on municipal legislation. The examination was weighted as follows:

- 1st—Training and experience—with oral, weight 30 per cent.;
- 2nd—Civics and economics, weight 20 per cent.;
- 3rd—Organization and administration of libraries, weight 20 per cent.;
- 4th—Municipal growth and its problems, weight 30 per cent.

Out of 12 applicants Charles H. Talbott, a post graduate of Wisconsin University in municipal affairs, author of a valuable booklet on the initiative and referendum and for the past year an assistant to Charles McCarthy in the Wisconsin legislative library, was selected.

For the examination of superintendent of the various city parks and their foremen, the examination was conducted by Fred S. Doggett, for several years member of the park board; Adriance Van Brunt, a leading architect, and John V. Hanna, civil and mechanical engineer for the Depot Terminal Company, now breaking ground for a new depot in Kansas City, costing, including buildings and approaches, approximately \$33,000,000. The scope of the examinations for the various superintendents of the several parks, salaries varying from \$3,000 to \$1500, were:

- 1st—Experience and training tending to qualify, weight 40 per cent.;

2nd—Knowledge of park system of Kansas City, weight 15 per cent.;

3rd—Park construction and maintenance, weight 30 per cent.;

4th—Vegetation, weight 12 per cent.;

5th—Landscape art, weight 3 per cent.;

For the positions of clerks in the comptroller's office, 3 positions to fill, with 16 applicants, the examination was conducted by J. F. Downing, president of the New England National Bank; C. G. Hutchinson, cashier of the First National Bank, and F. Stanley Young, expert accountant and auditor for the Kansas City Clearing House and Kansas City representative of the F. S. Young & Company expert accountants of Chicago.

Among other interesting examinations already held were those for city electricians, inspectors of asphalt construction, supervisors of plumbing, license inspector, city forester, dog enumerator, deputies in the assessor's office, city chemist, stenographers and clerks for various departments.

The personnel of the special committees has commanded confidence and respect of foes as well as friends of the system; consequently the results have never been called in question on the ground that the examinations were manipulated in the interests of any political party or in the interest of any individual. The criticisms made by political bosses and the hostile press have been only such general objections as are usually brought against the system. Of course, the results are sometimes roughly worked out, especially in the manner of marking, experience, education, training and personality. For lack of time it has been impossible as yet to work out a system of standardization for the committees so that the results are not altogether uniform. It may not be in every case that absolutely the best man wins, but old barnacles attached to the city's service are scraped off and the people at large are impressed with the idea that well known and reputable citizens are using their best endeavor to select city employes without regard to politics and as they would pick employes in their own establishments. Heads of departments have told members of the commission in confidence that civil service has been a God-send to them

in removing old incumbents that they had no use for, but hated to discharge. The commission has found little difficulty in obtaining the consent of citizens to act as examiners, as those asked usually appreciate the compliment implied. Bank presidents have given up their Saturday golf and spent the whole day in attendance on examinations and many evenings in formulating questions and grading papers. The most serious objection to our method is the time required by the commission and its secretary and office force in arranging and attending meetings convenient to the members of the various boards and explaining to them what they are expected to do and the general principles of civil service. But the time is well spent when one sees the interest and enthusiasm with which, to quote our secretary, Mr. Bainter, "they hew and watch the chips fall."

In a few instances in the first examinations held the work of the special committees was crude, owing to inexperience in handling committees, but in later examinations, in order to safeguard identity a grading number was given to the applicants' papers different from the numbers used in the oral examination and training and experience or personal history sheets were removed from the other papers.

Prof. Lowell has said that an expert is the best living tool of modern civilization and we have been endeavoring to select experts for the city's offices and employments by enlisting for our help without cost to the city the best of our citizen experts in various lines. It may be that the precedent set by us may be used by some later commission to have committees appointed for that purpose arbitrarily grade papers showing favoritism either personal or political, but it is beyond human ingenuity to frame any charter law, or rules, or method of procedure that will bar a commission so disposed from emasculating the merit system. The main reliance in the end is public sentiment and a municipal conscience.

**ORGANIZATION**  
**OF THE**  
**National Civil Service Reform League.**

**CONSTITUTION**

[REVISED DECEMBER 13, 1900.]

**ARTICLE I.**

The name of this organization shall be the National Civil Service Reform League.

**ARTICLE II.**

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of civil service reform in the United States.

**ARTICLE III.**

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such Association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such Association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other society or organization to take part in any designated meeting of the League.

The Council may also admit, in such manner as it may prescribe, associate and sustaining members of the League. The annual dues for associate members shall be five dollars and for sustaining members twenty-five dollars. Associate

and sustaining members shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

#### ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any Association shall demand a vote by Associations, in which case each Association represented shall be entitled to one vote, which vote shall be cast by the delegates from such Association present at such meeting or by a majority of them.

#### ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

#### ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be chosen, and may be removed, by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be *ex-officio* members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice-President may be filled by the Council until the annual meeting next following.



**ARTICLE VII.**

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

**ARTICLE VIII.**

There shall be an annual meeting of the League at such time in each year, and at such place as the Council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

**ARTICLE IX.**

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.

## BY-LAWS.

[ADOPTED BY THE COUNCIL JANUARY 18, 1901.]

§ 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.

§ 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.

§ 3. The Council shall elect its Chairman and the Secretary, Treasurer and Assistant Secretary of the League, at its meeting next succeeding each annual meeting of the League.

§ 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made, during the year.

§ 5. The order of business at each meeting of the Council shall be:

1. The reading and correction of the minutes of the last meeting.

And thereafter, unless otherwise ordered, as follows:

2. The admission of new Associations.
3. Statement of the Treasurer.
4. Report from the office of the Secretary.
5. Reports of Standing Committees.



## PUBLICATIONS OF THE NEW YORK CIVIL SERVICE REFORM ASSOCIATION

*Annual Reports of the New York Civil Service Reform Association, 1894 to 1910, inclusive.*

*The Beginning of the Spoils System in the National Government, 1829-30.* (Reprinted, by permission, from Fenton's "Life of Andrew Jackson.")

*Term and Tenure of Office.* By Dorman B. Eaton. (1882.)

*Daniel Webster and the Spoils System.* An extract from Senator Bayard's oration at Dartmouth College, June, 1892.

*Address of Hon. Carl Schurz in opposition to the bill to amend the New York Civil Service Laws, commonly known as the "Black Act." May 6, 1897.*

### MISCELLANEOUS.

*The Civil Service—The Merit System—The Spoils System.* By Edward Cary. (1901.)

*The Organization of the Modern Consular Service.* By George Munster. (Reprinted, by permission, from the Century Magazine, for February, 1893.)

*The Reform of the Civil Service—Interest of Women in the Movement.* By Mrs. George McAcary. Published by the Women's Auxiliary to the New York Civil Service Reform Association. (1900.)

*The Merit Principle in the Selection of the Higher Municipal Officers.* By H. H. Dana. (1901.)

*Philosophy of Civil Service Reform.* Published by The Women's Auxiliary to the U. S. R. Ass'n. (1907.)

*A Sketch of the History of Civil Service Reform in England, India and the United States.* By Imogen H. Oakley. Published by the General Federation of Women's Clubs. (1904.)

*Civil Service in Great Britain.* By Dorman B. Eaton. Published by Harper & Brothers. (1884.)

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AT THE ANNUAL MEETING OF

**The National Civil Service Reform League**

HOLD AT

PHILADELPHIA, PA., DEC. 14 AND 15, 1911

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

PUBLISHED FOR THE  
NATIONAL CIVIL SERVICE REFORM LEAGUE  
70 WALL STREET  
NEW YORK

1911

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**Proceedings at the Annual Meetings of the National Civil Service Reform League, 1894 to 1911, inclusive, (excepting 1898, out of print).**

**A Review of the Year.** By Carl Schurz. (Address of 1898.)

**Renewed Struggles.** By Carl Schurz. (Address of 1899.)

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**Five Reports.** Prepared by the Investigating Committee of the National Civil Service Reform League. (1901.)

**Superannuation in the Civil Service.** Reports of Special Committees. (1901, 1906, 1907, 1909, 1910 and 1911.)

**Withdrawals from the Civil Service.** Report of a Special Committee of the League. (1906.)

**The Situation in Porto Rico.** Report of the Committee on the Civil Service in Dependencies. (1902.)

**Governor Hughes on Civil Service Reform.** Address of Governor Charles E. Hughes, of New York, at the Annual Meeting of the League. (1907.)

**The Business Value of Civil Service Reform.** (Second Revised Edition.) (1911.)

**Activity of Federal Office Holders in Politics.** Report of a Special Committee of the League. (1909.)

**The Fundamental Reform.** By President Charles W. Eliot. (Address of 1909.)

**Things Won and Greater Things Not Yet Won.** By President Charles W. Eliot. (Address of 1910.)

**Promotions in the Civil Service.** Report of a Special Committee of the League. (1910.)

**Politics vs. the Administration of Justice.** By Hon. Winfred T. Denison. (1910.)

**Coal Hed Politics.** By Hon. Winfred T. Denison. (1911.)

**The Relation of Organized Labor to Civil Service Reform.** By Hon. Samuel B. Donnelly. (1911.)

**Civil Service Reform and Popular Government.** By President Charles W. Eliot. (Address of 1911.)

**The Sugar Frauds and Political Spoils.** By Hon. Winfred T. Denison. (1912.)

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# ANNUAL MEETING OF THE NATIONAL CIVIL SERVICE REFORM LEAGUE.

DECEMBER 14 AND 15, 1911.

**P**URSUANT to a call duly issued, the Thirty-first Annual Meeting of the National Civil Service Reform League was held at Philadelphia, Pa., the 14th and 15th of December, 1911. The following delegates from Civil Service Reform Associations and Auxiliaries were in attendance during the several sessions:

BUFFALO: Henry W. Sprague, Ansley Wilcox.

CHICAGO AND ILLINOIS: Robert Catherwood.

CONNECTICUT: Charles G. Morris.

DISTRICT OF COLUMBIA: John Joy Edson.

INDIANA: William Dudley Foulke.

MARYLAND: Charles J. Bonaparte, Philemon H. Tuck.

MARYLAND AUXILIARY: Mrs. Charles J. Bonaparte, Mrs. T. Harrison Garrett, Miss S. G. Haydock.

MASSACHUSETTS: Arthur H. Brooks, Richard H. Dana, William V. Kellen, Samuel Y. Nash, Moorfield Storey.

MASSACHUSETTS AUXILIARY: Miss Marian C. Nichols.

NEW YORK: Robert W. Belcher, Leander T. Chamberlain, Horace E. Deming, Albert de Roode, Elliot H. Goodwin, Henry W. Hardon, Samuel H. Ordway, Thomas J. Skuse, R. H. Valentine, Everett P. Wheeler.

NEW YORK AUXILIARY: Mrs. Everett P. Wheeler.

PENNSYLVANIA: Ellis Y. Brown, George Burnham, B. J. Costello, A. B. Farquhar, Albert Smith Faught, Cyrus D. Foss, Jr., James G. Francis, Emil Guenther, Clarence L. Harper, Robert D. Jenks, J. Percy Keating, W. W. Montgomery, Jr., H. C. Niles, Charles Richardson, John B. Roberts, Haseltine Smith, Ellery C. Stowell, T. Henry Walnut, R. Francis Wood, Stuart Wood, Clinton Rogers Woodruff.

WISCONSIN: John A. Butler.

In response to invitations issued by the League to municipal reform associations and to other bodies interested in the reform of the civil service, delegates were present from such organizations as follows:

THE "CHIEF": Burns Gillam.

COOK COUNTY CIVIL SERVICE COMMISSION: Fredric Greer.

ILLINOIS CIVIL SERVICE COMMISSION: W. B. Moulton.

INTERNATIONAL COMMITTEE OF YOUNG MEN'S CHRISTIAN ASSOCIATIONS: Oliver C. Cutts.

NEW JERSEY CIVIL SERVICE COMMISSION: Joseph F. Hoff.

PORTLAND, ME., BOARD OF TRADE: Seth A. Moulton.

UNITED STATES CIVIL SERVICE COMMISSION: John C. Black, John T. Doyle.

## MEETINGS OF THE LEAGUE.

The headquarters of the League during the meeting were at the City Club, 1418 Walnut Street, Philadelphia. The proceedings at the sessions of the League, commencing on the morning of December 14, were as follows:

### FIRST SESSION.

City Club,

Thursday morning, December 14.

**T**HE League convened at 11.00 a. m. Mr. Moorfield Storey, Vice-President of the League, presided.

The minutes of the last Annual Meeting having been printed and distributed, their reading was omitted.

Mr. Richard H. Dana, Chairman of the Council, read the report of the Council.<sup>1</sup>

The following reports from Associations and Auxiliaries composing the League were then read:

**Mr. Henry W. Sprague submitted the report from the Civil Service Reform Association of Buffalo:**

**MR. PRESIDENT AND MEMBERS OF THE LEAGUE:** Mr. Wilcox has only within the last few minutes asked me to make a report to the League from the Civil Service Reform Association of Buffalo. I have, therefore, had no opportunity to consider what I may say, and shall consequently find little difficulty in obeying the admonition of the President limiting the time for these reports to five minutes each.

The merit system of appointment to office in the City of Buffalo has now been in operation for over thirty years. I have been associated with this movement in Buffalo from its beginning, and have watched its progress with the deepest interest. That progress, considering it from decade to decade, has been upon the whole satisfactory. Indeed, so far as relates to the appointment of the employees in our municipal government, it is hard to be-

lieve that Buffalo is the same city as the Buffalo of thirty years ago. The merit system has practically taken the civil list out of politics. The expenditure on this list amounts to millions annually. Before the adoption of the merit system, this vast sum of money was, to a large extent, used as a bribery fund, paid by politicians to their henchmen and retainers for assistance in furtherance of their political ambitions, the fund coming from the public treasury, and not from the pockets of those thus served. More than this, by reason of the long period of time which has elapsed since the spoil system went out and during which the merit system has prevailed, the latter has become the habit of mind of the people, so to speak, so that it is pretty well recognized in our community that merit and fitness must, as a matter of course, be the qualifications necessary for appointment to municipal employment rather than political services. It is impossible to conceive that the citizens of Buffalo would ever voluntarily go back to the old methods. The merit system, I firmly believe, has come to stay as a fixed factor in the system of administering municipal affairs in Buffalo, much in the same way that it is recognized, for instance, in all parts of England.

Now, that is the bright sight of the picture; but I regret to say that the canvas has many dark, unpleasant, and even threatening aspects. When I entered into this movement about thirty years ago, I believed that when once the merit system was firmly established as part of our municipal government, I would be through with my work; that the civil service department would be recognized as one of the integral parts of the municipal government; would be provided for out of the public expenditures, and would work automatically, like other municipal departments. In this belief I was entirely mistaken. Never, since the inauguration of the movement, were the efforts of believers in civil service reform more necessary for the proper working of the system with us, than at the present time. The truth is that the merit system, in order to be effective, should be administered by men who heartily and enthusiastically believe in the same, and who are so earnest in its support that they are constantly on the lookout for evasions of the rules, and

devising means for the improvement of the system. More than all, under our rules, where power of appointment of commissioners is vested in the Mayor, it is absolutely necessary that he should take a like interest in the system, and should appoint men to administer the same with an eye single to the question as to their possession of the qualities above mentioned. At times these conditions prevail; at other times they do not, or perhaps only partially. Men who have no knowledge of, or interest in civil service reform are sometimes appointed on the commission, which consists of seven commissioners. They are honored by the appointment; accept the same; find the work tedious and onerous; frequently resign; and thus we have a shifting commission, which does not at all times have the public confidence and respect. We have never yet succeeded in getting our local commission established on a proper business basis. I am ashamed to say that even up to date the commission has no paid examiner. The result is that a mass of detail work is imposed upon the commissioners who are not paid and who cannot spare the time for so much clerical labor without an undue sacrifice of their personal interests; consequently the work is carried on at times in rather an amateurish way, instead of by thorough business methods.

Only yesterday afternoon Mr. Wilcox and I were before the commission, urging them to coöperate with us in asking for a paid examiner, and in other respects in putting the work of the commission on a proper business basis. Our principal efforts in the immediate future must be directed towards the accomplishment of these ends. The Executive Committee of our local Civil Service Reform Association are watching carefully what is going on in the operation of this department of the city government, and doing what we can to aid the city commission in its work; and apparently the duty lies before us of giving the same earnest efforts towards the reform of the civil service which we undertook when we were young men thirty years ago.

**Mr. Robert Catherwood submitted the report from the Civil Service Reform Associations of Chicago and Illinois:**

Within the geographical limits of Illinois there are to-day some 55,000 persons under the provisions of civil



service laws, federal, state, county and municipal. The permanent service, with but comparatively few exceptions, extends up to the line of elective officials. Under three new acts passed by the last Legislature, the merit system was extended to over 6,000 positions and the duties and burdens of civil service commissioners were greatly increased, not only because of this extension, but also on account of the definite constructive provisions in these acts. These laws emphasize not only merit appointment, but also efficiency in service. In other words, the commissions are charged with very important functions in checking, auditing and reporting upon the economy and efficiency of the service handled by the responsible officials. The problems of public employment are, for the first time in the history of the state, being treated as problems of the whole service, and not as separate departmental problems.

In the face of this situation the work of the Illinois and Chicago Association, during the past year, has been in addition to completing the extensive work of the last year, mainly along the lines of intensive development, constructive and defensive work, co-operation with the several commissions and the various agencies interested in the success of the civil service laws.

First. The Associations insist that the merit system shall be administered by its friends and not by its enemies. Civil service commissioners must be competent and honest. In three instances this year, when invited by the appointing power, to submit names of competent persons for appointment as civil service commissioners, we did so. The appointments were made. In two instances, we insisted that competent commissioners be reappointed. We were successful. With the assistance of the press, we forced the resignation of one commissioner within a month after his appointment, and we induced another to sever all of his party connections. Of course, such functions are highly embarrassing to a citizen group, but until the Legislature places civil service commissionerships in the competitive class and cuts them loose from political parties, necessity overrides all other considerations.

Second. The Associations endeavor to help commis-

sioners in the solution of their problems, so that the experience of all commissions may be brought to bear upon questions arising with one.

Third. The Associations endeavor to assist employes in availing themselves of their rights under the law.

Fourth. Without entering into the merits of particular cases, the Associations endeavor to aid citizens in formulating and presenting charges looking to the removal of employes for cause, or to administrative changes tending to promote efficiency and economy in the service.

Fifth. The problems arising in standardizing employment, in attracting suitable applicants for examinations, in cost-figuring the service, in preparing practical examinations, especially for the higher positions, in establishing grades and lines of promotion, in recording duties, in handling labor service and pension matters, and in eliminating the various forms of political influence, partisan activity and evasions of the law, have been the subject of much study and discussion and of frequent resort to the administrative agencies and to the courts, not to mention the press and the spell binders.

We are at present conducting two cases in the supreme court involving constitutional questions; one case in the appellate court involving evasion of the civil service law by false records and apparent co-operation between a discharged employe and the corporation counsel's office; three cases in the circuit court concerning points of construction; and one criminal case. We are preparing several other criminal matters for submission. In the criminal case the chief examiner of the County Civil service commission is defendant. All this work has required expert investigation.

During the year we have succeeded in getting the rules, prepared and recommended by the Associations, adopted by several commissions; the adoption by three commissions of a rule forbidding civil service employes from serving as officers of political clubs, or from doing certain enumerated specific acts which mark the distinction between the employe who merely votes and takes a quiet interest in politics and the employe who seeks to distinguish himself by conspicuous political activity, is an

instance; in enforcing this rule, we have the sympathy and co-operation of the employes' league. The adoption by three commissions, and its use by the public, of a rule by which charges may be filed by citizens against officers and employes in the service, where, in the judgment of the secretary of the commission, the facts alleged under oath by a citizen, and supported by the affidavit of one or more witnesses would, if charged and established, amount to cause for removal of the officer or employe from the service, marks an important departure.

At present, officers of a medical society, members of the Chicago Board of Trade and a labor union are asking the Association to put certain grievances against public officers in shape for a hearing under the civil service laws.

The Mayor of Chicago has requested the city civil service commission to investigate inefficiency and dishonesty in the police force; the chief of police, all of the inspectors, and most of the captains, in all about 150 officers, have been shown to be so entangled with graft, vice and special interests, or so blind and incompetent, that their discharge may be safely prophesied.

By order of the finance committee of the city council, the comptroller's annual budget has been sent the civil service commission for a report on useless positions, regrading and means of cutting out waste in the public payroll.

In reference to the state, Cook County and Chicago parks civil service commissions, the main problems have arisen in connection with introducing the new laws which went into effect July 1. In all these fields there are anomalies peculiar to a period of transition from a spoils to a merit era.

The state commission is doing its work with exceptional thoroughness and standing up against the political pressure of the transition period. It has made good progress in classifying and standardizing the 2,500 new positions under it, including several hundred in the state-house itself.

The Cook County commission has unfortunately felt the baneful influence of a president who has handicapped its progress by many abuses.

The three park civil service boards of Chicago introduced a new law with little friction and with excellent constructive achievements.

In several cities outside of Chicago the civil service commissions are making good fights for the integrity and development of the merit system. This is notably true in Waukegan. In Springfield the city commission has introduced the efficiency-recording system. Strong civil service sections appear in a new law for the commission form of government for Illinois cities.

**Mr. Charles G. Morris** submitted the report from the **Civil Service Reform Association of Connecticut**:

Connecticut has for about a dozen years been attempting to get some civil service measure from its legislature, either a charter for one or another of our cities or a general bill introducing civil service rules in the state, but until the last legislature we accomplished nothing. This last legislature had left over to it from the preceding session a bill providing for the general introduction of the merit system. The judiciary committee, which had to report on the bill before it was formally presented for legislative action, refused to consider the introduction of the merit system in the state service, but accepted our draft of a measure making it possible for cities to adopt the system by popular vote. When that bill was presented to the legislature it went through, I believe, without a single dissenting voice in either the House or the Senate, so it was made a non-partisan measure. It did not go into effect until November 1, and we have not had time to take any action under it yet. There are several cities interested and talking seriously of trying to adopt civil service rules by a vote under this law before another year is over. It may be voted on at any general election or the city council may call a special election for this purpose.

The city of New Haven has had the merit system for a number of years under a loosely drawn charter provision and has had experiences similar to those of other cities under bad mayors and poor boards, but the last two years we have had a good mayor who has strengthened the board. The system is respected in New Haven and apparently working harmoniously and moderately satis-

factorily, but not quite as freely as it could work under a better statute. I believe that this is all there is to report from Connecticut.

**Hon. Charles J. Bonaparte submitted the report from the Civil Service Reform Association of Maryland:**

Mr. President, in Baltimore since the League honored us with her visit, we have had what Mrs. Sioussat not inaptly described as "cataclysmic conditions." We have had not merely the experience of those places where they have had bad mayors and bad commissions, but the experience of an absolutely insupportable Mayor and no commission at all. The present Mayor of Baltimore City was elected in May after two very hotly contested campaigns. His selection as the candidate for the Democratic nomination was made by what it has become customary in Baltimore to call the "Royal Family," which is a modern and somewhat more euphonious name of what we used to call the "Ring." This selection was a surprise, because it was generally thought he was too nearly what the "Royal Family" would consider an ideal mayor for them to imagine that the voters would express approval of their choice. Nevertheless, they did select him, and it turned out that they builded better than we thought they knew, for he was nominated as the Democratic candidate by a large majority and obtained the position, although by a narrow majority and after a close contest.

As I think I have told the League in previous years, the Baltimore public schools have been, ever since our new charter was introduced in 1898, the battle field of an unremitting warfare, a war without truce or parley, between those who want to get rid of the abuses which were imbedded in those schools when they were first brought under civil service reform principles, and those who want those abuses perpetuated and if possible aggravated. The principal subject matter of controversy was the Superintendent of Schools, a Mr. Van Sickle, who had been there from the time of the first choice for the position under the new charter and who had made himself conspicuously and persistently unpleasant to politicians, grafters, lazy teachers and all the various elements that would naturally resent such interference. He had been exposed for a number of years, in fact nearly through

his whole term of office, to continuous hostilities from a portion of the teachers, a portion of the school board, practically all the politicians, and a good many other people in the community, but he had steadily held on and brought about many great improvements in the schools. Matters had come to a head in the school board just a little before the time that the League was in Baltimore, and the net result of that situation was that several vacancies had been created and filled by new commissioners, and the board stood seven to two in favor of Van Sickle and his and our ideas. After our new Mayor came in he found that three of the friends of Mr. Van Sickle had been in less than six months and, therefore, under the terms of the charter could be removed by him without charges or trial. He first asked the board to summarily dismiss Mr. Van Sickle, which they refused to do: then he notified these three gentlemen that he would turn them out if they would not vote for Mr. Van Sickle's decapitation, but would leave them in if they would. They declined to consider the suggestion and he actually did dismiss them. He had a good deal of trouble, I am glad to say, in filling the vacancies; but he at last succeeded in getting two young physicians and a tobacconist to take the positions.

Since then, without going into details, which, though interesting, would take up too much time, things have gone from bad to worse and worse to yet worse in the board, and all of the old members have resigned and have been replaced by persons conspicuous, first, for their incompetency, and, secondly, for their sympathy with the Mayor and his ideas. The situation of affairs in our public schools is, therefore, at the present time decidedly unsatisfactory from our standpoint. I am not sure that it is satisfactory to anybody's standpoint just now, because so much odium was created by these proceedings that the results of the last election have not pleased the "Royal Family" at all. I think that they may be said to have worn mourning—I believe Royal Families do wear mourning for a moderate space of time—and they are understood to have been in a state of seclusion from public affairs reflecting; a fact which has not, however, prevented the Mayor from consistently applying the spoils

system in all other departments of the city government as well as the schools.

It may be mentioned that, according to report, medical inspection is to be abolished in the schools, on the ground that it interferes with the politicians and it attended with expense. There has also been a threat of a raid on the fire department. The Maryland Civil Service Reform Association has expressed its view on this situation from time to time. The Executive Committee directed its Chairman and a sub-committee to publish a statement to the effect that the Mayor's action might have been expected from the headman of an African village, but was an anomaly in the chief executive of a great American city of the twentieth century. The members individually joined with such effect as they could in the many protests (and it is creditable to the community to say they were not merely many but earnest) made against these proceedings; and these did not turn out to be merely "hot air," as the results of the last election have in a measure shown.

We also protested against the scheme for doing away with the merit system in the fire department, and it does really seem that, if we have not punctured it, at all events we have delayed its consummation. It appears to be for the moment abandoned.

At the time the League was with us we were hoping for the adoption of a new charter for Baltimore City, or of considerable amendments in the present charter which would contain a very thorough application of the merit system. While these amendments have undergone various vicissitudes, the prospect of relief in that respect is not immediate. At present we have a Republican Governor, or we will have in January, for the first time in many years; but both houses in the Legislature are strongly Democratic. Whether we will get through the charter amendments for Baltimore City or not is very uncertain; in fact, there is considerable danger in agitating their adoption, since one of their features is to considerably increase the powers of the Mayor, and if we continue to have the benefit of the services of the present Mayor, and if the provisions introducing the merit system should be eliminated by the Legislature, which

has been suggested as calculated to greatly increase the chances of adoption of the entire measure, the result would be to leave us far worse off than we were before.

It is unnecessary for me to go into all the details of our local situation, but, in brief, we have had quite as many difficulties as we could handle and we have now all the work before us we can accomplish and, perhaps, a little more, and good prospect of ample opportunities for activity in the near future.

I was impressed with what Mr. Sprague said of his disappointment, when, after thirty years of hard work, he seemed to have just as much to do as ever. That is a sentiment which I fully share; in fact, I have become afraid that, in our part of the world at all events, our reform organizations will become Homes for the Aged, while young men look on and see old men working for meagre results. I am glad to say that a systematic canvass for new members, which we have set on foot, has had, on the whole, gratifying results. We have induced a number of promising young neophytes to enter our Association. We expect to make something out of them and, possibly, as a result of their membership, we may be able one day to increase our quota toward the expenses of the National League, which would be a result well calculated to awaken enthusiasm in this company.

**Mr. Arthur H. Brooks** submitted the report from the **Civil Service Association of Massachusetts**:

Mr. Chairman, we have had a very busy year in Massachusetts. The Association has attended about thirty legislative hearings. Our Legislature has been an extraordinary body this year; it was more like a Republican convention for governor with three candidates. The split-up in the Republican ranks left the control of the House in the hands of a Democratic ward leader. Miss Nichols has clearly stated to you the more interesting matters that came up there, and the result of them. I will mention one or two others. Let me say that the Spanish War Veterans' bill nearly got by us because it was entitled "An Act to Improve the Civil Service."

The fight we have been having for years over the advisability of further restrictions upon the power of removal has reached a termination for the present. An act



was passed this year which gives every public servant in the classified service who is removed, transferred, lowered, or whose compensation is changed, a right to appeal to the district judge. We were able to obtain, by way of amendment, a provision putting the burden of proof on the discharged employe of showing that he was removed without proper cause, or in bad faith. We endeavored to get a provision in the bill requiring him also to prove personal ill will, but failed.

For some time small firemen have been coming to the Legislature asking to have the minimum height limits abolished, and this year they were able to get a law providing that the commission should not be permitted to fix any minimum limits whatever, and that no fire board, or any other board, shall have such power, but that such limits, if any, shall be fixed by city councils or selectmen. There is, however, in Massachusetts a law passed several years ago which fixes a minimum limit of five feet five inches, which is the same limit as in Philadelphia and New Orleans. This limit is lower than in any other city.

Miss Nichols mentioned the fact that the Governor failed to retain Mr. Warren as Commissioner. We had many conferences with the Governor in our endeavor to persuade him to reappoint Mr. Warren and we had practically prevailed upon him to do so when, at the last moment, he changed his mind. The Governor told me he wanted, to use his words, more humanity in the board. The new man is a man whose name appeared upon a list which the Governor showed me, and which I think was handed to him by politicians. He said that the new chairman must be one of the men whose names appeared on this list. We looked it over. There were good men's names on it, but they would not consider taking the position, and finally the Governor appointed the man whom he recommended as best of the available ones. He is not a lawyer, as the chairman should be, but is a successful leather merchant and I believe thoroughly interested. He knows, I think he would himself admit, absolutely nothing of the subject.

The commission this year asked the Legislature to require payrolls in cities outside of Boston, to be under

oath, as they are in Boston, but the Legislature would not do so.

The commission has, for the first time in Massachusetts, held a competitive examination for promotion in the Boston fire department. An examination has been held. There was a large number of candidates and the results are, as yet, unknown. The Boston firemen have one day off in five and took the examinations on these holidays. The belief is that the results will be excellent. The method of marking does not meet with entire approval because it is thought that too much weight is given to the efficiency test and too little weight is given to the candidate's physical condition, habits, and knowledge.

I want to say a word in praise of the extremely valuable service done by the Women's Auxiliary in Massachusetts. (Applause.) Miss Nichols' modesty has kept her from saying more of its work. I feel that I am in a constant competitive examination with Miss Nichols, and am not entirely satisfied with the results. (Applause.)

**Mr. Samuel H. Ordway submitted the report from the Civil Service Reform Association of New York:**

The New York Association has had an active year, although its activity has been more particularly in opposing retrogression. Our difficulties have been largely due to the fact that there was an entire change of administration a year ago, and for the first time in fifteen years the Democrats elected the Governor and a majority of both branches of the Legislature. I do not mean to convey the idea that the Democrats are more depraved than the Republicans, but they had been out of office so long that they were, as Mr. Curtis said, very hungry and very thirsty. If the circumstances were reversed, I fear that the Republicans would have been just as bad. Whether that be so or not, there is no doubt that there has been during the past year a serious attack upon the civil service system in the state. This has been a great disappointment to our Association, for Governor Dix has been a member of our Association for many years, and pledged himself in the most absolute way during the campaign to support the merit system and appoint a commission thoroughly in sympathy not only with the letter, but with the spirit of the law. We were particularly disappointed,

therefore, to find that the Governor either did not mean what he said, or that he does not know what the merit system is.

I shall not make an elaborate report in regard to this matter of the State service in New York, since we are to have a paper this afternoon from Mr. Belcher, our Assistant Secretary, which is devoted to the matter.

So far as the City of New York is concerned, I can make a much more favorable report—a report differing from others made here to-day in that I can praise our Mayor instead of telling you how bad he is. Mayor Gaynor has proven himself friendly to the merit system. He has insisted upon important changes in administration—notably that the highest person on the eligible list shall be appointed; that is, that the heads of departments under him shall not select from the first three, but shall take the eligibles in the order in which they stand. Theoretically that may not seem advisable, but under conditions existing in New York City, which it would take too long for me to go into here, the system of selecting one from three has been very unsatisfactory. He has appointed a very good commission, which is doing admirable work. Of course, we sometimes have differences of opinion; but they have been friendly ones, and we can express our satisfaction with the work of the local commission, as well as that of the Mayor. They have done away with some of the old abuses, they have improved the administration, and they have insisted on the enforcement of the law. I shall not elaborate this, because we are to have a paper from the President of the New York civil service commission, in which he will show how friendly the commission is to the merit system.

Perhaps our most important activity has been the fight against the new charter for the city. That has commonly been known as the Gaynor charter. No one knows how far the Mayor was responsible for the original draft, but, personally, I doubt whether the Mayor can be held responsible for it. The changes through which that proposed charter went is a long story. I can only say that the first draft was so bad that it was submitted to a committee for re-drafting and it emerged

improved in some respects, but in even worse form so far as civil service reform went. The Mayor wished to do away with what he called the "overlordship" of the state commission. As you probably know, our New York law furnishes a local or municipal system for each city and a state commission which has a limited control over the cities and entire control over the state service. The Mayor wished to do away with state control over the city commission. Our Association thought that was a mistake, and fought it vigorously. In other respects also the proposed new charter was a dangerous attack on the system in the city of New York. It practically amounted to a repeal of our civil service law. It would have been a terrible blow to the cause in New York City if the charter had been adopted in that form, so we fought it as a whole, and yet, feeling it possibly might go through, we got as many amendments as possible. The result was extremely close. It passed the Assembly by one vote. While it never came to a vote in the Senate, it was commonly understood it was within one vote of passing there. However, the Association had succeeded before that time in so amending the charter that if it had passed the result would not have been so serious as we feared at first. Much was accomplished through the exertions of Senator Loomis, of Buffalo, a staunch friend of the cause. Nevertheless, the defeat of the bill was a great victory, for which our Secretary, who is also the Secretary of the League, Mr. Goodwin, is entitled to great credit.

We tried to secure the passage of several bills to improve the law in New York, all of which failed.

We opposed, however, a great many bills intended to cripple the merit system, and none of them was successful in getting through.

As a result of the raid now being made by the politicians on the civil service there have been many cases brought into court which are gradually making their way to the court of appeals. To some extent the decisions have been favorable and to some extent unfavorable, but we hope in this way to prevent a great many of the attempts to cripple the law in New York.

**Mr. T. Henry Walnut submitted the report from the Civil Service Reform Association of Pennsylvania:**

During the major portion of the past year the Pennsylvania Association has been working against persistent opposition for the extension and the proper administration of the merit system. The Committee on Legislation of the Association in the session of the Legislature of the present year, secured the introduction of a state civil service bill, which provided for the appointment by the Governor of a state civil service commission consisting of three members. The jurisdiction of the commission was to extend over employees of the state and of such counties having a population of one hundred and fifty thousand or more, and of such cities of the third class as might decide by a popular vote to accept its provisions. The bill did not cover the cities of Philadelphia, Pittsburgh and Scranton, as they already had civil service acts of their own, passed in 1906 and 1907. The bill was introduced both in the House and in the Senate and was met at once with determined opposition. The Committee on Municipal Corporations of the former body failed to report the measure, and a motion to discharge the committee from further consideration was defeated by an ample margin.

The fate of the Senate bill was equally tragic. The Committee on Judiciary Special, to which the bill was referred, treated the representatives of the Association who appeared before it on behalf of the bill, with scant courtesy, and refused to bring the bill before the Senate.

The efforts of the Association to secure proper administration of the law were met with similar opposition, which resulted in the bringing of a number of suits looking to the interpretation and enforcement of the law at present applicable to cities of the first class, and also in the writing of numerous letters calling the attention of the Mayor to violations of the law. These letters were without avail, a result not remarkable in view of the attitude of that official as expressed in an interview early in his administration, in which he is quoted as saying "Civil service reform is obsolete. It ought to be banished as was done in the army. \* \* \* I want to be entirely frank and say that there will be no hypocrisy in the Com-

mission. We will obey the law, but we will not do any more than we have to."

The situation was such in fact that it led to the following lament in the Annual Report of the Association, presented last April:

"The Philadelphia civil service law was passed in 1906. With the exception of the proviso exempting a large class of persons from its provisions, an exemption already held unconstitutional by Court of Common Pleas No. 5, it is a satisfactory and carefully drawn law. And yet after five years, it is almost as true as it was prior to its passage that no one can secure an office at the City Hall without political pull, that no employe will be promoted unless he renders faithful obedience to the mandates of the political leaders, and that every officeholder is required, willingly or not, to participate actively in politics. In other words, the evils of the spoils system are still rampant in the municipal government."

That this condition was not on the mend was amply proven in the ensuing primary and general election. In the former, two factions of the Republican organization were struggling for the mastery and each played openly and vigorously for the support of the Mayor, upon the well accepted theory that the support of that official meant the support of the officeholders and assured victory, without regard either to the approval of the press, public opinion or the fitness of the candidate. The Mayor finally declared himself in favor of the candidacy of William S. Vare. As the campaign progressed, orders were openly given that employes who did not fall into line should be summarily dismissed, and an attempt to enforce this order later resulted in numerous dismissals. Shortly before the close of the primary campaign, however, the Mayor weakened in his position and issued what was known as the "neutrality order," declaring that employes should be at liberty to take their choice between the factions. This was accepted by the press and by persons versed in Philadelphia politics as meaning the doom of the Vare candidacy. The results warranted the conclusion, as Vare was defeated by thirty thousand votes.

The results of the primary election as shown by returns from the several wards presented a most striking

illustration of the power of the spoils system. The forty-seven wards of the city had a so-called "ward leader" whose position was based upon the fact that he was the channel selected by the party leaders for the distribution of official patronage in his particular ward. Appointments were made only after the endorsement of the ward leaders. And so effective was this power of patronage that not one "leader" failed to carry his ward for the candidate whose election he advocated. The character of the candidates was markedly different, but the vote showed contiguous wards with population of similar nature giving majorities proportionately the same, each for a different candidate. Nothing could have shown more clearly the remarkable cohesiveness of the system which party organization had built up about the ward leaders through the distribution of political patronage. It is hoped that this illustration of its cohesiveness marks the climax of the system and that such a situation will never again be possible in Philadelphia. At the subsequent general election, as usual, the officeholders constituted the regular army of the organization; they engaged vigorously in the campaign and openly submitted to assessments for campaign purposes. Notwithstanding their efforts, Mr. Blankenburg was elected Mayor upon the Keystone and Democratic tickets. One of the doctrines most vigorously advanced by him before election and one that he seems prepared to abide by, was that public officeholders should be taken out of politics and selections for municipal employment should be based upon efficiency alone.

Subsequent to his inauguration, the civil service commission, appointed by his predecessor, resigned, and a new board, consisting of Messrs. Frank M. Riter, Lewis H. VanDusen, both of them members of our Association, and Peter Bolger, a Democrat and well-known newspaper man, were appointed. The Association believes that the appointments will bear the test of that provision in our present law which makes it a qualification of the commissioners that they shall be in full sympathy with its purposes. It is not to be expected in a community so thoroughly schooled in the spoils system as Philadelphia that the citizens will awaken to the meaning of civil service reform at once, but it is confidently ex-

pected that the education of the next four years will develop an attitude of public opinion such that future reports of the Association will be colored with an optimism to which they have been strangers in the past.

**Mr. John A. Butler submitted the report from the Civil Service Reform Association of Wisconsin:**

The civil service situation in Wisconsin is both interesting and significant. There has been little agitation in the usual sense of the word, but the work of the League and the state commission had a decided influence last winter on public opinion and legislation. Their united efforts to promote good legislation and oppose dangerous and unsound civil service measures were effective at many critical points. Their struggle with the Attorney General, who insisted, on constitutional grounds, upon the exemption of his first assistant, was both long and bitter, but of the greatest possible value to the friends of the merit system, because of its successful issue and the wide-spread interest which it is believed to have aroused in the merit principle among the people. Everything was done to tie the hands of the commission. The Attorney General advised the Secretary of State and the State Treasurer that the civil service law was unconstitutional and that the bills of the commission for expenses and salaries should not be paid. At the previous hearing, a member of the League, at the request of the commission, had made an extended argument against the proposed exemption, and the commission, already seriously harassed, stood its ground and refused the exemption with admirable courage. The result was an action in the Supreme Court, brought by the League and the commission, in which the law was not only upheld at every point, but Judge Siebeckner went out of his way in his decision to give the merit principle of appointment one of the strongest and most conspicuous endorsements it has received in any state. The whole situation, together with the standing of the attorneys employed, among them General F. C. Winkler of this League, attracted wide-spread attention, and will help the cause of good government later on.

There has been some complaint of late about what is known as "student appointments" in Wisconsin, but apparently, without serious cause as far as the state com-



mission is concerned. Prior to the adoption of the law, about thirty students were employed in the Capitol. After its passage Governor La Follette urged the adoption of a rule exempting the students of the State University generally, in order to such employment, but the commission resolutely refused to grant his request, and the rules were finally signed in the original draft. There is, however, a rule that bona-fide students employed by the University itself, at salaries not to exceed \$25 per month, shall be exempt, and it is safe to say that there are no students employed outside of competition except in the University.

That members of the faculty of the State University have been "in politics" is undoubtedly true, and some of them are now members of various commissions at comfortable salaries as a result, but whatever the political status of the University may be, the state commission seems to be free from the slightest political taint, and administers the law fairly and effectively under the very disinterested leadership of its Secretary and Chief Examiner.

High tribute should be paid to the work which the professors of the University have done and are doing in various commissions, but, while due recognition should be given to that, there are circumstances connected with the establishment of some of those commissions and future possibilities of a political character which are a cause of grave apprehension.

The University men, under the leadership of John R. Commons, tried last winter to get all the experts in the state service exempted by an amendment to the civil service law. The League and commission fought until the very last day of the legislative session, and fortunately, I might almost say miraculously, the law remains intact. We also opposed the exemption of deputies in the new industrial commission, and were successful except that that commission may appoint so-called "examiners" independent of the civil service commission. It has appointed one man who is sent out to examine into the facts as to disputed indemnities between employers and employes in cases of accident and injury.

The effort of college men to secure exemptions, and

those alluded to are not the first, has had a depressing effect on the friends of the merit system. There is also grave danger in the multiplication of commissions and bureaus for which they are largely responsible; as the employes are usually exempt by law. The feeling is unavoidable that having lost so many spoils positions through the application of the merit system, the politicians are bent upon creating other similar positions in various commissions, on the specious claim that expert service can be obtained in no other way. The expense with high salaries is often great, and the cost of supervision unnecessarily high. The last legislature created an unpaid highway commission in which expert subordinates are exempt. That commission will expend \$600,000 next year, working through the counties. Though the commission seems to have had a political origin, it is encouraging to be able to state that its members have requested the civil service commission to hold competitive examinations in counties for supervisors of road construction. These are state appointments, the appointees being paid by the counties. This is an indication of the feeling as to merit appointments and is worthy of record.

Another new department entirely outside of the rules is the commission on state affairs, appointed for two years. It has extensive powers and an appropriation of \$30,000. One of its functions is to examine into efficiency in the state service. It could do useful work by helping to reduce the number of small departments by consolidation. It would seem to conflict with the civil service commission and encroach upon its jurisdiction in the matter of investigating efficiency. It has, nevertheless, invited the cooperation of the commission in making a study of departmental organization and a system of efficiency records, and it is hoped that it will assist in securing legislation to center this function in the civil service commission. A table has been prepared Mr. F. E. Doty, which shows that in the University, with 1200 people on its payroll (including 600 instructors), there is a total monthly expense of \$99,000. The cost of supervision is 3% of the payroll. In the state board of control of penal and charitable institutions, with its jurisdiction over eight or nine large institutions, the cost of super-

vision including the salaries of five members of the board and of the secretary and superintendent, is 8% of the payroll. With all other departments, including state elective officers, commissions and bureaus, the cost of supervision is 23% of the payroll. It has been suggested that consolidation would materially decrease the expense of the state administration.

Before closing this part of my report, I wish to add that the commission of state affairs, composed of the Governor, the Secretary of State and three others appointed by the Governor, is apparently created to look over the entire field and block out new legislation. It is a curious development in politics to say the least.

There are some very hopeful indications of advance since the Supreme Court decision on the validity of the law. Appointing officers have as a rule shown a disposition to co-operate with the civil service commission, and there are fewer efforts to evade the law. The commission is filling more positions from competitive lists and its work nearly doubled during the past summer. The Legislature created 40 new positions as income tax assessors. The commission recently held a state wide examination for these positions and examined over 200 candidates. All sealers of weights and measures, except in Milwaukee, where they are under local jurisdiction, are now appointed by competitive tests, and both our Senators and nearly all our Congressmen apply to the Commission to examine candidates for West Point and Annapolis. This includes the Socialist Congressman Victor Berger. A successful examination has also been held for the position of first assistant attorney general, and superintendents and assistants in free employment bureaus, formerly executive appointments, are now under the rule.

In Milwaukee the so-called city service law has been amended so as to compel officers to select appointees from the first three names certified, and the new removal rule is substantially the rule favored by the National Civil Service Reform League. It was brought about by the Wisconsin League. I regret to say that membership in the Milwaukee fire and police board has been increased to five. This was the result of strenuous work of the

Socialists, and their legislative partners, and was intended to be a means of depriving us of one of the best chiefs of police in this country, whose record under civil service rules seems to have been without a flaw for over thirty years. A cumbersome form of trial has been substituted for the former removal rule in the fire and police departments, with a reference to the Circuit Court on the facts. The University forces, to which I have already referred, presented a bill abolishing our Milwaukee civil service commissions altogether, and substituting a "joint board" composed of a local secretary of the state commission and, in turn, each local appointing officer in the city government, to make the rules by which the latter was to be restricted; to conduct examinations and establish an unlimited eligible list. The measure was known as the Commons Bill, and so strong was the control of the little coteries which operated the steam roller in the legislature that it is wonderful, even with the splendid aid of Mr. Elliot H. Goodwin and General F. C. Winkler, that we were able to defeat it and retain as much as we have of the former machinery for applying the merit system in Milwaukee. We may be pardoned if we look with disfavor, not upon the scholar but the State University professor in politics, when one of them insists that the time has arrived when appointing officers can be trusted under the new dispensation to make their own appointments.

We shall meet the difficulties suggested in this report at the next legislature, and I hope that in the meantime the National League will hold a meeting in the Middle West.

**Mr. Ansley Wilcox submitted the report from the Buffalo Women's Civil Service Reform Association:**

The Women's Civil Service Reform Association of Buffalo reports the continuation of its educational work. Literature has been given to the four high schools, where 367 pupils have qualified as reading members of our Association by reading the addresses by Schurz, Bonaparte, Cary, Woodruff and others. This reading leads to the writing of the essay on Civil Service Reform in Municipalities, the writer of the best essay receiving the Municipal Honor Medal. In February we invite our

active and high school reading members to an entertainment in honor of George William Curtis. Two years ago the Women's and Men's Associations co-operated to introduce the "Primer of Civil Service—The Merit System" by Elizabeth Luther Cary into the eighth grade in the grammar schools. We did it not as a *reform*, but as the study of an existing law and principle of government. We did not ask for an essay from eighth grade pupils (in itself of doubtful value), which would have been a great burden on the teachers, but gave to each pupil a "Primer" as supplementary reading in history when the eighth grade classes reached the chapter which tells of the assassination of Garfield by a disappointed office seeker and the civil service until the merit system was extended. The teachers were told that a "Primer" was to be given to each pupil to keep, that the teachers need have no care of them, and that next year others would be given to each pupil. We gave a "Primer" last year to every eighth grade pupil in our public schools (3,673) and to pupils in seventeen private schools, which includes twelve parochial schools (683), a total of 4,356.

In reporting that the study of civil service reform is now introduced into every public school and seventeen private schools in Buffalo, we wish to give much credit to the hearty co-operation of the school department, superintendent, principals and teachers.

**Mrs. Albert Sioussat submitted the report from the Women's Auxiliary of Maryland:**

The Auxiliary of the Maryland Civil Service Reform Association began the past season with the privileges and opportunities afforded by the sessions in Baltimore of the Annual Meeting of the National Civil Service Reform League. Presided over by the President Emeritus of Harvard University, Hon. Charles W. Eliot, the members were enabled to gather renewed interest, as the reports and addresses of the two days followed one another.

The work of the year entitled to first consideration and of greatest importance has been that of reaching the public schools.

During nine years, continued efforts have been made to reach and interest in civil service the young men and

women, future citizens of Maryland, now pupils in the high schools of this city and state.

In 1903, Mr. W. Cabell Bruce, Chairman of the Schools Committee, started a movement to interest not only the pupils, but the teachers, in the subject of civil service reform methods—more simply expressed, the methods of appointment and promotion of all teachers, officers, municipal and federal employees, by a system of examination based upon merit rather than political pull or reward. Prizes were offered at that time for best essays on the following subjects: "The Relation of Civil Service Reform to Postmasters," "How Are Your Postmasters in Your Towns Appointed?" "Civil Service Examinations, What Are They?"

The president of school boards in the counties accepted all the literature sent, but until this year, only sixty city schools were willing to be approached. Each year effort has been made to offer prizes for debates, hoping incidentally to interest individual boys to gather themselves into civic clubs, with the benefit of competition among themselves.

After a conference in March last (1911) with General Riggs, President of the Baltimore School Board, permission was granted, and with the co-operation of I. Montgomery Gambrill, Professor of History in the Polytechnic Institute, the following outline and suggestion, made in April, 1911, was returned *accepted*:

That the subject of the first contest be limited to "The Merit System in Municipal Civil Service." Any topic bearing upon this subject should be accepted. The following might be suggested as example:

- (a) The study of a particular city in which the merit system has been extensively applied.
- (b) A comparative study of a city having the merit system, and one under the spoils system.
- (c) A paper on the general status of the merit system in municipalities.
- (d) An argument for the advantages of the merit system in municipalities.

That the sum of fifty dollars which is available

for prizes at each school be distributed in each case as follows:

A first prize of twenty dollars.

A second prize of fifteen dollars.

A third prize of ten dollars.

A fourth prize of five dollars.

The judges were to be prominent men whose connection with the plan would give it wide importance in the eyes of the contestants and of the public. As judges the names of Professor Willoughby, William Cabell Bruce, Charles J. Bonaparte and Judge Rose, were chosen.

At this point, when "one iridescent dream," as it had been called by its foes, seemed so near fulfillment, a cataclysm occurred. The Superintendent of our public schools, under whose rulings great advance had been made in a sane administration of the educational system provided for by the charter of 1898, was dismissed by the newly elected "City Fathers" "without charges, without trial, without reason assigned." Six of the sterling members of the school board followed by different paths, and at present we seem to have attained the scriptural position when the man who had been delivered from seven devils fell again into their insidious grasp, of whom "the last end was worse than the first." We are not, however, discouraged, but keep in touch with every agency which may hasten redemption. The representation of our Auxiliary on the various boards shows our faith that in the child labor legislation we hope to get the inspectors under the merit system, and in the education of the foreign element in municipal uplift we trust that our young Poles will teach their people as they arrive what the same merit system will mean in their citizenship.

Opportunity for debates were offered by the Auxiliary to the head of Tome School, Port Deposit, Md., the Gilman County School, and more lately the Girls' Latin School.

In response to several applications from State Federated Clubs and from other organizations the Maryland Auxiliary will reprint this season the Salmon-Reik Primer, entitled "The Merit System and the Public Schools."

It has also afforded the Auxiliary pleasure to contribute one hundred dollars to the National Civil Service Reform League.

**Miss Marian C. Nichols submitted the report from the Women's Auxiliary of Massachusetts:**

During the past year the Massachusetts Auxiliary has continued its widespread educational campaign and at the same time has given increased attention to legislative work. The Auxiliary numbers 1025 members, representing 50 cities and towns in Massachusetts, and has branches in Boston, Brookline, Cambridge, Lynn, Milton, Newton, Salem, Springfield, Waltham and Worcester. The Milton Branch was recently organized at a well attended meeting addressed by Mrs. Oakley, and at a preliminary meeting, held in Dedham, it was voted to form a Dedham Branch. The support of the Branches is a great assistance in carrying on local work, for they hold meetings and study classes, introduce our literature in the schools, arrange for competitions for the medal, and in other ways further an interest in and knowledge of the merit system.

Since our last report to the League we have sent out about 60,000 pamphlets, thus making a total distribution of nearly half a million pamphlets to schools, colleges, libraries, clubs, settlements, and other organizations, as well as to individuals. We have published in all thirty pamphlets, inclusive of our ten annual reports. The three most widely circulated are Miss Cary's "The Primer of the Civil Service and Merit System," 150,000 copies of which have been printed for our use, and sent chiefly to grammar schools; Mr. Edward Cary's "The Merit System—The Spoils System," which we have published to the number of 100,000; and Mr. Clinton Rodgers Woodruff's "The Merit System in Municipalities," 90,000 copies of which have been distributed. These last two pamphlets have been sent to many thousand high schools and colleges scattered in every state in the Union. A new pamphlet called "Civil Service Tests," by Mr. Frank Foxcroft of the Massachusetts Civil Service Commission, reprinted by the kind permission of the "Youth's Companion," is likewise meeting with great success for school circulation. This pamphlet explains the practical



working of the civil service system and has several illustrations. Last April 80 superintendents and principals applied for 20,000 pamphlets to place in 370 high and grammar schools in Massachusetts. During the year 45,000 pamphlets have been distributed to 1,000 schools and colleges.

This autumn we sent out sets of pamphlets to over 600 of the chief libraries in the country with a letter asking if they wished to be placed on our mailing list. Already 150 of these libraries in 34 different states have asked to receive our publications. Many have expressed their warm appreciation of the material, offering to place it on reading tables, or otherwise to make it easily accessible to students and general readers. In one case a state library asked for further pamphlets for the use of members of the Legislature. Besides a steady demand for literature on the subject of civil service reform there are frequent requests for material on special phases of the merit system. To meet this need we have collected a large reference library containing several hundred books, reports, and pamphlets, which have been carefully indexed and card catalogued with page references to special topics. The majority of requests for aid in the preparation of papers came either from women's clubs or from boys and girls writing essays for civil service reform competitions. This year our bronze medal was offered as a reward in school competitions held by the Brookline, Cambridge, Springfield and Worcester Branches, and by seven women's clubs in Massachusetts, as well as by a club in Rupert, Idaho. Altogether 85 of the medals have thus far been awarded. Another method of interesting the younger generation in the merit system is our collection of lantern slides, prepared to illustrate the history and meaning of civil service reform.

Active cooperation was as usual given by our Branches and by women's clubs in our legislative work. As a preliminary to supporting several measures before the Massachusetts Legislature of 1911, an open meeting was held at the Twentieth Century Club, at which President Charles W. Eliot presided, and Hon. John A. Sullivan of the Boston finance commission spoke on the urgent need for placing the collecting, treasury and penal

institutions departments under the civil service rules in accordance with a recommendation made by the finance commission the previous year. Dr. David A. Scannell, a former member of the Boston school committee, told of the inefficient medical inspection in the Boston schools, largely due to political interests controlling the appointments in this section of work under the board of health, and Mr. Arthur H. Brooks advocated the extension of the civil service law to county offices. The outspoken criticism of city departments led to much newspaper comment on the meeting. The Auxiliary circulated widely a petition in favor of extending the civil service law to county positions and to the three exempt departments in Boston, and also arranged for many letters to be written by prominent citizens to the Public Service Committee which had the bills in charge. The measures were all unfavorably reported and the reports accepted without debate.

At our request Dr. Richard C. Cabot petitioned the Legislature to classify school physicians in Boston and later conducted a hearing before the Public Service Committee, at which several former school physicians spoke in support of the measure and representatives from several organizations including the Legislative Committee of the Suffolk District Medical Society appeared in favor of the bill. In spite of the convincing arguments in favor of removing the school physicians from political control the Committee at once reported leave to withdraw and the report was accepted by the House and Senate. Fortunately another method was open for obtaining the same end, namely by action of the civil service commission subject to the approval of Governor and Council. The Auxiliary secured the signatures of many physicians and organizations especially interested in the health and welfare of school children and then was given a hearing by the civil service commission, at which the petition was presented and physicians and others spoke. The commission approved the extension, making it apply to school physicians not only in Boston, but in other cities, and likewise to all medical and veterinary inspectors. As there was opposition from a few mayors, it was necessary to arrange for a third hearing before members of the

Governor's Council, who, with one dissenting vote, approved the extension twenty minutes after the conclusion of the hearing.

A renewed attempt was made to secure special privileges for Spanish War Veterans, three methods of granting preference being introduced. The bill that made most headway was one identical in form to that vetoed by Governor Draper in 1909, giving preference in the labor service to veterans of the Spanish War. As usual we arranged for remonstrants to be present at the hearing, and circulated a protest which was signed by 1700 men and women representing 79 cities and towns. We also brought the measure to the attention of the Boston Central Labor Union which passed resolutions protesting against its enactment. The Public Service Committee reported against the bill and we were told that no strong pressure was being brought to bear in its support. It was therefore disappointing after the bill had remained for many weeks on the calendar to find that a few former sympathizers had succeeded in arousing a strong sentiment in its behalf and to have the bill pass the House by a large majority. An active fight followed in the Senate. Friends in various parts of the state were urged to write or speak to their senators of their opposition to this measure, and many of the senators were spoken to by the secretary, who was registered as the Auxiliary's legislative agent. On May 18th the preference bill was rejected by a tie vote, and again defeated by a tie vote on June 1st. In addition to the bills mentioned, careful watch was kept on other measures affecting civil service interests, many hearings were attended, and when desirable assistance was given to the work of the Massachusetts Association. The Auxiliary co-operated with the Massachusetts Association and the Boston Good Government Association in an unsuccessful effort to secure the reappointment of Mr. Charles Warren, for six years the able and efficient chairman of the civil service commission.

This autumn the Auxiliary had an unusually interesting opportunity to further the extension of civil service principles. At the request of the Police Chiefs' Union the Legislature last spring enacted a law authorizing

the extension of the civil service law to heads of police departments in all cities except Boston and in towns which have accepted the civil service law. This act was to take effect only on local adoption, and was required to be voted upon in all cities at the recent state election. Shortly before election day an article, issued by the Massachusetts Civil Service Association, was sent to daily and weekly newspapers in every city with a request for its insertion and for favorable editorial comment. The article was then published in leaflet form and distributed widely about the state to boards of trade, Young Men's Christian Associations, chiefs of police, clergymen and many other who had previously aided our work. We offered to furnish additional copies of the leaflet and received a large number of applications, especially from clergymen, Young Men's Christian Associations, and police chiefs themselves. In one city a member of the police department ordered and paid for five thousand copies of the leaflet which were distributed to every voter the afternoon before election day. Many of the newspapers published editorials, and, as far as we know, all supported the measure which previously had received little attention from the press. Twenty-one of thirty-two cities voted to accept the police chief act and in some cases the vote was five to one in its favor. The Police Chiefs' Union passed resolutions of appreciation for our assistance and several chiefs likewise wrote to express their gratitude.

The success of both our educational and legislative work depends largely on the readiness of others to give their support. Our grateful acknowledgment is therefore due to the many school superintendents and teachers, civic organizations, newspaper editors, and public-spirited men and women who respond to the call for aid in working to guard the things that have been won and to strive to bring about some of the things that are not yet won.

**Mrs. Everett P. Wheeler submitted the report from the Women's Auxiliary of New York:**

The New York Auxiliary takes pleasure in reporting to the League concerning the activities of the year 1911.

The distribution of educational literature during the past year has amounted to over thirty-nine thousand copies of pamphlets. Besides sending these to schools,

colleges and libraries, the pamphlets have been extensively used at the conventions of Federated Women's Clubs in the states of Arkansas, Texas, and New York. Over 2,500 circulars of questions have been sent to the women's clubs that are listed in the General Federation. The questions were designed to compel investigation into the method of appointment to state, county and municipal offices in their respective states, and to urge the inception of educational and legislative campaigns for the passage of civil service laws in the states that have none. The responses have been encouraging. The women's clubs of Idaho and Michigan are working hard to effect the passage of civil service bills that are pending in the state legislatures, and clubs in other states are willing to undertake educational campaigns. Many replies have frankly stated that ignorance as to the meaning of civil service reform prevailed and literature would be gratefully received. One correspondent announced that "*Theoretically* civil service reform is all right, but it is deadly dull as a subject for discussion!" Another correspondent writes that "our club has no civil service reform committee, as our work is entirely civic," having acquired the impression, no doubt, that in trying to divorce the civil service from politics a separation from governmental welfare is likewise intended. On the whole, the circulars of questions have had the desired effect, for in the several hundred responses received is shown an interest and a desire for information, as well as an understanding of state and municipal conditions, and a willingness to work for their betterment.

The Auxiliary is constantly receiving communications from some club asking for literature, study-programs, suggested topics for discussion, list of references and etc. We are very glad to keep in touch with the Women's Clubs, and we hope that by such co-operation mutual helpfulness may result. The Auxiliary is also in active co-operation with the civil service reform committee of the New York State Federation of Women's Clubs, in that the Secretary has been made a member of that committee.

The Auxiliary has ceased to issue circular letters urging the use of our literature by the schools, as every

school, library, college and club in the United States has been reached by this method. We still continue the gratuitous distribution of literature when requests are sent in, but it seems no longer necessary to solicit requests for pamphlets.

At present the efforts of the Auxiliary are among the local settlements. Classes in civil government are being started in Chrystie Street House and in the University Settlement Society Building. It is the object of the course to give a brief statement of what government is, why it is, the origin of government, the various forms of government, and the outline of civil government with particular reference to the individual citizen's specific relation to the government. As these classes have just commenced, it is impossible to speak for the results, but even with due regard for caution, it is safe to say that the outlook is hopeful.

The annual subscription of one hundred dollars (\$100) has been paid to the National Civil Service Reform League, and a contribution of one hundred dollars (\$100) given to the New York Association. The Auxiliary has also become a member of the National Municipal League and thus gives expression to its interest in civic reform.

The fact that no recent appointments of women as tenement house inspectors had been made was brought to the attention of the Executive Committee. A communication was sent to the tenement house department asking if there was a prejudice against the appointment of women as tenement house inspectors, or whether no women had applied for that position recently. In reply the department stated that there were at present ten women employed as inspectors; that no vacancy would occur until 1912, and that the examinations would then be open to applicants of both sexes.

The Auxiliary has long felt the need in our public libraries of a wider selection of civil service books for preparing applicants for civil service examinations. After investigating the character and number of books on the civil service in the libraries we took the matter up with Mr. Gaillard, of the circulation department of the New York Public Library. The number of the books—

though not the character of the few already installed—was found to be inadequate. Mr. Gaillard asked the Auxiliary to submit a list of books suitable in character for the applicant (who requires a different sort of treatise than the student of the civil service reform movement), and comprehensive in scope. We submitted the following list:

"This Country of Ours: Benjamin Harrison.  
Manual of Civics: Frederick C. Seckerson—The Chief—1908.

Outlines of Civics: Frederick H. Clark—Macmillan—1899.

City Government in the United States: Alfred R. Conkling—Appleton & Co.—1894.

Civics for New York State: O. D. Hoxie—American Book Company—1901.

How to Prepare for a Civil Service Examination: Francis E. Leupp—Hinds, Noble & Eldridge—1898.

The Federal Service as a Career: El Bie K. Foltz—Putnam's—1909.

Civil Service Guide: Wm. Harrison Clarke.

Civil Service Guide: Bryan.

How to prepare for the Civil Service: Eaton.

Civil Service Examinations: Bowker.

Complete Course in Civil Service: Galley.

How to Become a Letter Carrier or a Post Office Clerk: C. A. Lachaussee—The Chief—1907.

How to Become a Fireman: J. J. O'Reilly—the Chief—1910.

How to Become a Patrolman: J. J. O'Reilly—The Chief—1910.

How to Enter the Custom House and Internal Revenue Services: C. A. Lachaussee—The Chief—1910.

Police Administration: L. D. Fuld—Putnam's.

Civil Service Self-Instructor: H. J. Graham, Louisville, Ky.—Civil Service Self-Instructor—1907.

Civil Service Manual: Ewart, Field & Morrison—Home Correspondence School, Springfield, Mass.—1908.—Three volumes; Arithmetic, English, Geography and Railway Mail Spelling.

In a short time we were gratified to receive word from Mr. Gaillard that our list had been approved and that

the books were about to be placed in each branch of the Public Library. This same list of books has been accepted by the Orange and East Orange Libraries of New Jersey.

We desire to acknowledge with thanks the courtesy of "The Chief," which at various times has given books and pamphlets to the Auxiliary and to other organizations in which the Auxiliary is interested.

Upon motion, the following reports were received to be printed in the Proceedings:

**From the Civil Service Reform Association of Cincinnati:**

As was heretofore reported to you, the Legislature of Ohio in April, 1908, passed a law as an amendment to the municipal code of 1902, providing that in all cities the President of the Board of Education, the President of the Sinking Fund Board and the President of Council, shall appoint a commission of three electors to act as civil service commissioners, and providing that the civil service shall be classified, etc., with other provisions, making a useful law, if the officers in charge of its enforcement are in sympathy with it, but not otherwise. That law by its terms did not take effect until from or after January 1, 1910.

The civil service commission selected under it could hardly be said to be in sympathy with its purposes, all of them being more or less affiliated with the organization which for many years has controlled the patronage, and through it the administration, of the affairs of the city of Cincinnati.

That commission has published one report, covering its proceedings for the first year, the year of 1910. A copy of that report has been sent to the Secretary. It is an interesting pamphlet. The determination of what persons should be included in the classified service was largely left to the discretion of the commission by the law. The law also saved that discretion from danger of overwork by a long list of positions which should be included in the unclassified service. The commission, out of all the places which might have been classified, included about 250, and for this purpose expended all but



\$14.90 of the \$8000 which was granted, for its first year's expenses.

In November, 1911, the people of Cincinnati elected as Mayor a young man, honest and courageous, who is a relentless enemy of the spoils system. Where the law is insufficient, he will supply its needs as far as he can. The local Civil Service Reform Association has appointed a committee to aid him in some of his work. That committee has called in your efficient Secretary, who has agreed to visit Cincinnati at an early date for that purpose. I believe the people of Cincinnati are to have an object lesson in good government such as they have not seen for generations. As Charles William Eliot once said—"Civil service reform is so essential that all other reforms must rest on it," and the truth of that saying we believe will be presently impressed upon our citizens.

**From the Civil Service Reform Association of Denver:**

The Civil Service Reform Association begs to make the following report:

The state commission has during the past year met the same opposition in the enforcement of the civil service act as in former years. The last General Assembly was so taken up with futile attempts to elect a United States Senator that great confusion as to general legislation prevailed throughout most of the session. This condition prevented the enactment of any of the bills prepared by this Association.

A small but active group of politicians, hostile to the merit system, took advantage of this situation to attack the commission and its work in the state institutions. Not possessing the courage to advocate the repeal of the law they undertook to render it inoperative by refusing to provide for the necessary expenses of the commission. The only appropriation made was \$500 for contingent expenses, available only for the year expiring November 30, 1911, but no provision whatever was made for the salaries of the Secretary or other employes of the commission. Hitherto the Secretary's salary which is fixed in the Act itself had been held to be the subject of a continuing appropriation. The present State Auditor has however refused to pay this salary since February

1, and has appealed to the Supreme Court from a mandamus of the District Court directing its payment.

The state auditing board has certain funds at its command from which the needs of the commission may be supplied for the next year, and application has been made to it for the needed assistance, but as a majority of the board is known to be hostile it is not expected that it will grant adequate relief. It is obvious that unless the decision of the Supreme Court is favorable to the payment of the Secretary's salary as a continuing appropriation and other funds are provided to meet the expenses of the commission from December 1, 1911, until the next meeting of the General Assembly, the commission must close its doors. The popular disapproval of such a disastrous outcome has been voiced by editorials in our leading newspapers and by resolution of our commercial bodies and other organizations.

The experience of the state commission in its constant struggle to enforce the law for the past three administrations since its enactment has led to the conclusion that it is idle to expect that the state authorities will favor full enforcement of the law in its very moderate application to the state institutions, and they will certainly oppose its extension to any other branch of the public service. This conviction has brought this Association to consider the advisability of submitting to the people, under the recently adopted amendment to the state constitution providing for the initiative, a measure extending the classified service so as to include every appointive position in the state service and providing for a minimum appropriation for the salaries of employes and other expenses of the commission as a continuing appropriation. Such an act, if effective, would make the commission largely independent of the legislature.

The enforcement of the civil service provisions of the charter has during the past year been as little opposed as in previous years. There is apparently no friction between the commission and the civic authorities. The Council has however not seen fit to exercise the authority granted in the charter after four years to extend the classified service to other departments beside those of public works and fire and police.

A movement is on foot for the adoption of the commission form of government for Denver by amendments to its charter, which includes the general extension of the classified service to all departments. The opponents of this movement are also preparing amendments to the political side of the charter which will include such an extension.

This commission has been doing effective work, with the co-operation of every member of the commission under which the city is governed. The practice continues of appointing from the head of an eligible list, although the rules provide for the certification of the three highest.

Since our last report the city of Pueblo—the second in size in Colorado—has adopted a commission form of government, with civil service provisions applicable to all departments. They present the anomaly of a civil service commission of three members to be *elected* by the people. As this new government has only been inaugurated during the past few weeks, it is too early to judge of its provisions.

**From the Civil Service Reform Association of New Jersey:**

During the past year the New Jersey Civil Service Reform Association has concerned itself chiefly with rendering assistance to those who in various municipalities in the state were interested in promoting the adoption of the state civil service by the municipalities in which they reside. The civil service law in New Jersey provides for the application of the merit principle to all positions in the state service and its further application to positions in the various municipalities which may by referendum after the filing of the necessary petitions adopt the law at the general election. The state civil service commission exercises full jurisdiction over the positions in such municipalities as well as over those in the state service.

At the general election of 1910 the cities of Newark and East Orange and the county of Essex adopted the provisions of the civil service law by a large majority. Petitions had also been circulation for a referendum

upon the law's adoption in South Orange, but the completed petitions were not filed within the necessary time prescribed by law; consequently the subject was not voted upon in that municipality in that year. At the last general election, the civil service law was voted upon in South Orange, the necessary preliminary steps having been taken for such a referendum. In addition the cities of Jersey City and Trenton and the counties of Hudson and Mercer voted upon the law's adoption.

Prior to the election in Hudson County and Jersey City and in Mercer County strenuous efforts were made to prevent a vote upon the subject, and it was only after an appeal to the courts that the governing bodies were induced to take the necessary steps required under the civil service law to place the referendum upon the official ballot. The result of the vote was favorable beyond all expectations. The result was as follows:

Hudson County	.....	53,655	36,198	17,457	18,741
Jersey City	.....	29,296	19,370	9,926	9,444
Mercer County	.....	10,034	6,220	3,814	2,406
Trenton	.....	7,417	4,238	3,179	1,059
South Orange	.....	610	443	167	276

The vote shows a very gratifying result in the large number of people interesting themselves in the subject making this the most impressive vindication of the referendum ever recorded in the State of New Jersey. The percentage of voters participating in the referendum was as follows: Hudson County 67%, Jersey City 66%, Mercer County 62%, Trenton 57% and South Orange 72%.

It is gratifying to note that in no case in which the adoption of the civil service in the State of New Jersey has been submitted to the voters has there been an adverse vote, but that on the contrary it has in every case been adopted by a comfortable margin, and in most cases by a very large majority, running as high in the last election in Hudson County and Jersey City as a two-thirds majority. It is further gratifying to note what would seem to be an increasing sentiment in its favor as indicated by the majorities and the percentage of the vote of this year as compared with those of a year ago.

It was at first considered somewhat as a matter of regret that the civil service law did not provide for its mandatory application to at least all the larger municipalities of the state. It is, however, now strongly felt that the educational benefit of the local campaigns in its behalf and the opportunity given to demonstrate the hold that it has upon the public have been of incalculable value, and will do more than anything else to secure a rigid adherence to the principles of civil service in legislation and the adoption of such additional amendments to the law as may be necessary from time to time in order to make it more effective. It is the intention of the Association to secure during the coming winter if possible legislative amendments which may make more clear the duties of the various governing bodies to act promptly upon the petitions for referendum when presented, and to provide for more stringent penalties for any attempts at evasion of the plain duties imposed under the law.

It is further interesting to note that during the past year all election officers in the state have had to undergo a qualifying civil service examination before appointment to their positions. A large number of such examinations were held by the New Jersey commission in all parts of the state, and the candidates secured as the result of these examinations are generally admitted to have been of a much higher character than those heretofore employed. The Association will move for further improvements to the law governing the choice of election officers and may urge that such examinations in the future shall be conducted on the competitive basis instead of on the non-competitive basis as has been recently suggested by the civil service commission in its annual report.

The recent report of the New Jersey Board of Assessors urges that in order to obtain a more reliable assessment, boards of county assessors should be created and that such assessors should be placed under the civil service and selected by competitive civil service examination. The action of the last Legislature in providing for the civil service examination of election officers and the recommendation of one of the most important boards in the state that similar action should be taken with rela-

tion to assessors are a strong evidence of the growing confidence in the merit system as the proper method for the selection of all classes of public employes.

The New Jersey Association takes pride in the record of the civil service in the State of New Jersey. Having been in force in the state only since April 10, 1908, it has advanced within this short period of time to a point where it governs not only all positions in the state service, but those in the two largest and the fourth largest cities of the state, the two largest and the sixth largest counties in the state, and two other municipalities of considerable size, the employes of these municipalities representing more than a majority of all municipal employes in the state, and aggregating together with the employes in the state service probably in the neighborhood of 15,000 persons. In addition the provisions of the law apply to 7,156 election officers, making a grand total of more than 20,000 in all.

## SECOND SESSION.

Houston Hall, University of Pennsylvania,

Thursday afternoon, December 14.

AT 3.00 p. m. the League reconvened at Houston Hall, University of Pennsylvania. Mr. Moorfield Storey, Vice-President of the League, presided.

Dr. Edgar Fahs Smith, Provost of the University, delivered an address of welcome.

Hon. William Dudley Foulke, of Richmond, Ind., delivered an address.<sup>1</sup>

Hon. Winfred T. Denison, of Washington, delivered an address.<sup>2</sup>

Mr. Richard H. Dana moved that a vote of thanks be extended to the University for its hospitality. The motion was unanimously adopted.

## THIRD SESSION.

Auditorium, Central Y. M. C. A.,

Thursday evening, December 14.

AT 8.00 p. m. the League reconvened. Mr. Moorfield Storey, Vice-President of the League, presided.

Mr. Moorfield Storey, of Boston, delivered an address.<sup>3</sup>

Hon. Rudolph Blankenburgh, Mayor of Philadelphia, delivered an address.<sup>4</sup>

Hon. Charles J. Bonaparte, of Baltimore, delivered an address.<sup>5</sup>

Hon. Andrew J. Peters, Member of Congress from the Eleventh District, Massachusetts, delivered an address.<sup>6</sup>

Mr. Richard H. Dana moved that the League send to President Eliot its sympathy and best wishes for his rapid recovery. The motion was unanimously carried.

Mr. Richard H. Dana read the annual address of the President, Charles W. Eliot.<sup>7</sup>

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Printed in full <sup>1</sup> at page 78; <sup>2</sup> at page 87; <sup>4</sup> at page 96; <sup>6</sup> at page 100; <sup>3</sup> at page 103; <sup>5</sup> at page 112; <sup>7</sup> at page 71.

## FOURTH SESSION.

City Club,

Friday morning, December 15.

THE League reconvened at 11.00 a. m. Mr. Moorfield Storey, Vice-President of the League, presided.

Mr. Robert Catherwood presented the report of the Committee on Nominations, as follows:

## FOR PRESIDENT:

Charles W. Eliot.....Cambridge, Mass.

## FOR VICE-PRESIDENTS:

Edwin A. Alderman.....Charlottesville, Va.  
 Charles J. Bonaparte.....Baltimore, Md.  
 Joseph H. Choate.....New York, N. Y.  
 Harry A. Garfield.....Williamstown, Mass.  
 George Gray.....Wilmington, Del.  
 Arthur T. Hadley.....Yale University.  
 Seth Low.....New York, N. Y.  
 Franklin MacVeagh.....Washington, D. C.  
 George A. Pope.....Baltimore, Md.  
 Moorfield Storey.....Boston, Mass.  
 Thomas N. Strong.....Portland, Ore.  
 Herbert Welsh.....Philadelphia, Pa.  
 Woodrow Wilson.....Trenton, N. J.

## FOR MEMBERS OF THE COUNCIL:

William A. Aiken.....Norwich, Conn.  
 Frederic Almy.....Buffalo, N. Y.  
 Charles J. Bonaparte.....Baltimore, Md.  
 Arthur H. Brooks.....Boston, Mass.  
 Charles C. Burlingham.....New York, N. Y.  
 George Burnham, Jr.....Philadelphia, Pa.  
 Silas W. Burt.....New York, N. Y.  
 John A. Butler.....Milwaukee, Wis.  
 Edward Cary.....New York, N. Y.  
 Robert Catherwood.....Chicago, Ill.  
 Leander T. Chamberlain.....New York, N. Y.  
 William C. Coffin.....Pittsburgh, Pa.  
 Everett Colby.....Newark, N. J.  
 Charles Collins.....New York, N. Y.  
 Joseph P. Cotton, Jr.....New York, N. Y.  
 William E. Cushing.....Cleveland, Ohio.  
 Richard Henry Dana.....Boston, Mass.  
 Horace E. Deming.....New York, N. Y.  
 Albert de Roode.....New York, N. Y.  
 John Joy Edson.....Washington, D. C.  
 John A. Fairlie.....Urbana, Ill.  
 Henry W. Farnam.....New Haven, Conn.  
 Cyrus D. Foss, Jr.....Philadelphia, Pa.



William Dudley Foulke.....	Richmond, Ind.
Charles Noble Gregory.....	Washington, D. C.
H. R. Guild.....	Boston, Mass.
Henry W. Hardon.....	New York, N. Y.
Robert D. Jenks.....	Philadelphia, Pa.
Stiles P. Jones.....	Minneapolis, Minn.
William V. Kellen.....	Boston, Mass.
Francis B. Kellogg.....	Los Angeles, Cal.
John F. Lee.....	St. Louis, Mo.
William G. Low.....	New York, N. Y.
George McAneny.....	New York, N. Y.
Henry L. McCune.....	Kansas City, Mo.
Harry J. Milligan.....	Indianapolis, Ind.
William B. Moulton.....	Chicago, Ill.
Samuel Y. Nash.....	Boston, Mass.
Samuel H. Ordway.....	New York, N. Y.
Elliott H. Pendleton.....	Cincinnati, Ohio.
John Read.....	Cambridge, Mass.
H. O. Reik.....	Baltimore, Md.
Charles Richardson.....	Philadelphia, Pa.
Henry A. Richmond.....	Buffalo, N. Y.
Nelson S. Spencer.....	New York, N. Y.
Henry W. Sprague.....	Buffalo, N. Y.
Lucius B. Swift.....	Indianapolis, Ind.
Frank J. Symmes.....	San Francisco, Cal.
William J. Trembath.....	Wilkes Barre, Pa.
Henry Van Kleeck.....	Denver, Colo.
William W. Vaughan.....	Boston, Mass.
Everett P. Wheeler.....	New York, N. Y.
Charles B. Wilby.....	Cincinnati, Ohio.
Ansley Wilcox.....	Buffalo, N. Y.
Charles D. Willard.....	Los Angeles, Cal.
Frederick C. Winkler.....	Milwaukee, Wis.
R. Francis Wood.....	Philadelphia, Pa.
Clinton Rogers Woodruff.....	Philadelphia, Pa.
Morrill Wyman, Jr.....	Cambridge, Mass.

It was moved and seconded that the Secretary be directed to cast one ballot for the election of the gentlemen named. The motion was unanimously carried. The Secretary cast the ballot and announced the election of the ticket as read.

Upon motion of Mr. Ansley Wilcox, unanimously adopted, Hon. Henry A. Richmond, of Buffalo, was transferred from the list of members of the Council of the League to the list of Vice-Presidents.

In the absence of Mr. A. S. Frissell, the Treasurer of the League, the Secretary read the Annual Report of the

Treasurer for the year ended November 30, 1911, which was, upon motion, received and ordered to be submitted to an Auditing Committee to report to the Council at the first meeting after the Annual Meeting.<sup>1</sup>

Mr. Horace E. Deming, Chairman of the Special Committee on Superannuation, presented the report of that committee.<sup>2</sup>

Discussion of this report followed. Mr. William T. Morgan, of the United States Civil Service Retirement Association, argued for a pension system supported entirely by contributions from the Government treasury, as opposed to the contributory system advocated by the Committee on Superannuation. Mr. Albert de Roode opposed the exaction of contributions from Federal employees under the present salary scale. Others who participated in the discussion were Hon. Charles J. Bonaparte, Hon. Everett P. Wheeler, Mr. Moorfield Storey and Mr. Richard H. Dana.

Upon motion of Mr. Ansley Wilcox, the report of the Committee was ordered received and placed on file.

Hon. Clinton Rogers Woodruff presented the report of the Committee on Civil Service in Dependencies.<sup>3</sup>

Some discussion of this report followed, participated in by Mr. Moorfield Storey, Hon. Everett P. Wheeler, Mr. Elliot H. Goodwin and others.

Upon motion of Mr. Charles J. Bonaparte, the report was received and placed on file.

Upon motion of Mr. Richard H. Dana, the Committee was requested to report what changes had been made in the civil service law in the Philippine Islands and by what authority, and what had been the action of the Insular Bureau of the War Department in respect to the appointment of Mr. Warren T. Allen to the position of superintendent of public works in Porto Rico.

Mr. Ansley Wilcox presented the report of the Committee on Consular Reform.<sup>4</sup>

He stated that he had received a letter from Hon. Philander C. Knox, Secretary of State, in regard to the operation of the executive orders providing for a system

of examinations for appointment to the consular service, and, upon motion, it was ordered that the letter be read at the next session.

## FIFTH SESSION.

City Club,

Friday afternoon, December 15.

AT 3.00 p. m. the League reconvened. Mr. Moorfield Storey, Vice-President of the League, presided.

Hon. Charles J. Bonaparte presented the report of the Committee on Resolutions. Upon motion, the report was accepted and the resolutions presented adopted as the resolutions of the League.<sup>1</sup>

Upon motion of Mr. John Joy Edson, the following resolution was unanimously adopted:

The League commends the re-establishment by President Taft, on December 9th last, of the civil service rule, requiring that, under all circumstances, an employee in the competitive class be furnished with the reasons for removal, and allowed an opportunity to reply thereto before he can be removed. This rule, first promulgated in July, 1897, gave to employees who acquired their positions on the basis of merit and fitness a proper feeling of security of tenure upon a like basis, and of independence of outside political control, which was measurably impaired by the elimination of the mandatory feature of the rule and other amendments in November, 1905. The League suggested to the President the restoration of the former rule, which after full consideration he did. This action will in our opinion further increase the stability and efficiency of the public service.

Hon. James Creelman, President of the New York City Civil Service Commission, presented a paper entitled Improvements in the Administration of the Merit System in New York City.<sup>2</sup>

Hon. Samuel B. Donnelly, United States Public Printer, presented a paper entitled The Relation of Organized Labor to Civil Service Reform.<sup>3</sup>

Hon. William B. Moulton, President of the Illinois Civil Service Commission, presented a paper entitled *The Situation in Illinois under the New State Civil Service Law.*<sup>1</sup>

Mr. Robert W. Belcher, Assistant Secretary of the New York Civil Service Reform Association, presented a paper entitled *The Spoils Raid in the New York State Service.*<sup>2</sup>

Hon. Clinton Rogers Woodruff, Chairman of the Committee on the Application of the Merit System to the Higher Municipal Officers, presented a paper entitled *Competition for the Expert Administrative Positions in City Government.*<sup>3</sup>

Mr. Ansley Wilcox, Chairman of the Committee on Consular Reform, read a letter from Hon. Philander C. Knox, Secretary of State, in regard to the operation of the system of examinations for appointments in the consular service. Some discussion of this letter followed, participated in by Hon. William Dudley Foulke, Mr. Richard H. Dana, Hon. John C. Black, Hon. Charles J. Bonaparte and Mr. Robert Catherwood.

Mr. Ansley Wilcox moved that a vote of sincere thanks be extended to the members of the Pennsylvania Civil Service Reform Association, the Philadelphia City Club, the University of Pennsylvania, the Central Young Men's Christian Association, the College Club, the Houston Club, the New Century Club, the Union League Club and the University Club for their hospitality. The vote was unanimously adopted.

The meeting then adjourned.

*Attest:*

ELLIOT H. GOODWIN,  
*Secretary.*

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A banquet to the visiting delegates was tendered by the Philadelphia Association at the Bellevue-Stratford at 8.00 o'clock on Friday evening, December 15. Mr. George Burnham, Jr., presided, and Mr. Frank T. Lewis acted as toastmaster. The speakers included President John C. Black, of the United States Civil Service Commission;

Judge Martin A. Knapp, Presiding Judge of the United States Commerce Court; Hon. William Dudley Foulke, of Richmond, Ind.; Hon. Frank M. Riter, President of the Philadelphia Civil Service Commission, and Hon. Charles J. Bonaparte, of Baltimore, Md.

On December 14 the visiting delegates were tendered a luncheon at the Houston Club by the University of Pennsylvania.

On December 15 the visiting delegates were tendered a luncheon by the ladies of the College Club at their club house, 1300 Spruce Street.

## ANNUAL REPORT OF THE TREASURER

November 30, 1911.

Balance on hand December 1, 1910.....\*\$888 00

## RECEIPTS:

Subscriptions.....	\$ 15 00
Associate membership dues.....	470 00
Sustaining membership dues.....	250 00
New York C. S. R. Association.....	1,730 00
Massachusetts C. S. R. Association.....	1,250 00
Pennsylvania C. S. R. Association.....	990 80
Maryland C. S. R. Association.....	250 00
Chicago C. S. R. Association.....	100 00
Cincinnati C. S. R. Association.....	250 00
Buffalo C. S. R. Association.....	250 00
Connecticut C. S. R. Association.....	150 00
Wisconsin C. S. R. Association.....	120 00
District of Columbia C. S. R. Association.....	67 30
Indiana C. S. R. Association.....	100 00
New Jersey C. S. R. Association.....	100 00
Denver C. S. R. Association.....	50 00
Women's Auxiliary of Massachusetts.....	100 00
Women's Auxiliary of Maryland.....	100 00
Women's Auxiliary of New York.....	100 00
Special Committee on Extension of Civil Service Reform.....	280 00
Special Fund for Increasing Membership and Influence.....	1,000 00
Pamphlets Sold.....	59 05
Total League Receipts.....	\$7,752 35
GOOD GOVERNMENT Receipts.....	1,167 11 8,919 46

\$9,917 46

## DISBURSEMENTS:

Salary of Secretary.....	\$1,999 92
Salary of Assistant Secretary.....	920 82
Salary of Second Assistant Secretary.....	125 00
Salaries of Clerks.....	1,188 15
Office Rent.....	835 00
Printing.....	322 24
Stationery.....	79 86
Postage and Stamped Envelopes.....	228 71
Traveling Expenses.....	233 84
Office Expenses.....	209 12
Special Committee on Extension of Civil Service Reform.....	110 49
Special Fund for Increasing Membership and Influence.....	992 97
Total League Disbursements.....	\$7,220 62
GOOD GOVERNMENT Disbursements.....	1,350 50 8,571 12

Balance on hand.....+\$1,036 34

E. &amp; O. E.

A. S. FRISSELL, Treasurer.

\*Of which \$184.99 is Special Fund of the Committee on Extension of Civil Service Reform.

†Of which \$304.50 is Special Fund of the Committee on Extension of Civil Service Reform, and \$7.08 is Special Fund for Increasing Membership and Influence.

Audited and found correct,

WILLIAM G. LOW,  
ALFRED B. MEACHAM.

January 26, 1912.

Committee.

## REPORT OF THE COUNCIL.

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### TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

On a review of recent events, the Council is impressed with the need of a better general understanding of the competitive civil service methods employed. These methods test not only knowledge but capacity. Let us give an example of this need:—medical examinations followed by thorough competitive physical tests of candidates for police and fire service have been carried on for twenty-eight years or more in New York and Boston as well as in some other cities by the civil service commissions; and yet a professor of government in a great university in the United States said in a public address entitled "The Limitations of Civil Service Reform," that there was no way of ensuring that the police and firemen who passed the civil service examinations would be strong and well. Little is generally known of the more modern, higher-grade method of ascertaining not only scientific knowledge and training, but executive and organizing ability which has been successfully employed by several commissions. In such cases the ordinary scholastic examination is entirely abandoned. The method consists in an investigation carried on by specialists in the subjects under consideration who inquire into the needed executive capacity, as well as into the education and training undergone by the candidates. These examining experts are appointed by the civil service commission which aids the investigation. The nearest approach to anything like an ordinary written examination is a thesis on organizing and conducting the office in the interests of the government, so as to show originality of design and familiarity with the kind of work to be done. These high-grade tests are so little understood that we are constantly hearing from persons who, for example, appreciate the value of permanent experts in public service, some of them professors, publicists, and experts, that it would be im-

possible to fill such high positions through civil service competition, because no scholastic examination could test experience and executive ability. One eminent professor in another large university, who knew something of the system, still had the impression that every candidate for such expert service had to pass a first-class clerical examination.

Another need which impresses itself upon us is that of securing sufficient independence of tenure for civil service commissions and sufficiently thorough laws, especially in city and county government, in order that patronage may be taken out of politics. The mere name "civil service" does not ensure that a law so labeled is efficient, any more than the name of the Australian ballot ensures secrecy and independence for the voter. Many of the charter clauses dealing with civil service reform are so vague as to be useless. Others provide that the very power whose patronage is to be curtailed should draw and amend the civil service rules and regulations, and appoint and remove with the utmost freedom the civil service commissioners who are supposed to prevent that power itself from using the offices, as its political exigencies may require. It is little to be wondered at that under such civil service laws the ends at which we aim are not attained. Yet for our encouragement be it said, the people, when made to understand the subject, exact from unwilling politicians sound laws and rules, and a thorough execution of the same. The San Francisco civil service law has been emasculated; but a new mayor has been elected who has pronounced himself favorable to our reform. In Philadelphia the law has been practically nullified for several years; but there, too, the people have elected a mayor who promises to enforce the merit system. The New York State Civil Service Commission presents a sorry spectacle at present. A large number of unnecessary exemptions have been made, putting the offices back into politics. At Des Moines, Iowa, the city with the model commission government, the mayor admits that the civil service law has "been more or less overlooked and neglected." The Civil Service Commission of Cook County, Illinois, has been Bartzen-ized, having appointed



incompetent subordinates, including its chief examiner, and it has not yet even adopted civil service rules. The local association has taken hold of this case with vigor and promise of success.

To come to the United States Civil Service Commission, we shall first consider the apportionment rule.

Under clause 2 of Section II of the National Civil Service Law, the appointments in the Departments at Washington are to be apportioned among the several states and territories and the District of Columbia upon the basis of population. This, however, as the same section states, is to be done only "as nearly as the conditions of good administration will warrant." In order to enforce this apportionment it has been customary to limit the appointments to those states whose quotas are most behindhand. Those states have fallen behindhand in their quotas chiefly because they are so remote, or their population so agricultural, or the allurements of private business so great that fewer competent persons apply for examination than in other states. As a result, inferior employees who pass at, say, 72 or 73%, are often forced into the Departments at Washington through this apportionment system, while far better employees who have passed at, say, 97 or 98%, are on the general eligible lists. In the early days of administering this law it may have been well to emphasize the apportionment for the sake of popularizing the law. It now seems well worth while to emphasize the *efficiency* of the service. The phrase "as nearly as the conditions of good administration will warrant" is as much a part of the law as the provision for apportionment; and taken altogether, we believe the true interpretation of the law is, that only when other things are approximately equal, should the states behind in their quotas be favored. The Civil Service Commission has just adopted a regulation applying only to scientific positions by which it groups together the eligible lists from all the states behind in their quotas and appoints from those standing highest on such combined list. This has abolished some of the worst defects of the apportionment system as applied to scientific positions. We recommend the carrying out of the same principle in all

other appointments as well. Otherwise, we do not see how "the conditions of good administration" which the law requires can be effected.

National bank examiners, though not classified, are now appointed after rigid competitive examinations designed to disclose their competitive qualifications, and the appointees are required to refrain from political activity. By action of the President the position of solicitor to the Collector of the Port of New York has been transferred to the competitive class. On December 1, 1910, the President promulgated an order authorizing the Commission to exempt from competition, appointments to positions of unusual character as to duties, for which qualified persons are so rare that in the judgment of the Commission the positions cannot be filled through competition. The number appointed under this is 13. We recommend a very guarded application of the order. Unknown talent has sometimes been disclosed by open competition. For example, some years ago a specialist was required for a position in the Department of Agriculture, and in the opinion of the head of the bureau there was only one person in the United States fit for the place. Open competition after advertisement, however, was carried out. A person wholly unknown to the head of the bureau passed the best examination; and after looking over the man's experience and papers and having a personal conference, the head of the bureau appointed him (although free to appoint the other person he had had in mind, who stood second).

During the year the President has made 43 special exceptions by executive orders, as compared with 19 during the preceding year. About a quarter of these 43 seem to us unnecessary, being mostly charity cases pure and simple; about a quarter seem of doubtful advantage, and a half, justified if the statements highly praising the capacity of the appointees are to be taken for granted as without exaggeration. In the past there have been several noted instances where specially excepted appointees, holding just such flattering endorsements, have proved not only unfit but even unworthy to such an extent that their appointments were subsequently revoked. We should

competition and records of efficiency, character and conduct should immediately follow, and some higher positions not now open to promotion should be brought within the system. Such a system of regulated advancement was outlined in the careful report submitted by our special committee on promotions of which President Eliot was chairman, last year. As it is now, from lack of any such opportunity there is a constant official complaint of loss by resignation in far too great numbers of the more ambitious and able young men who enter the service through competition.

In the diplomatic and consular services the limited examinations have produced such excellent results that there should be a wider and more permanent extension of its principles, for which an act of Congress will be necessary. There should also be, we believe, more open access to these examinations, limited, however, to such persons as would by their education, manners, and personality be acceptable to the countries to which they go and to the American merchants and citizens who have to deal with them.

We recommend the classification of the employees of the District of Columbia. This requires Congressional action. Meanwhile, the District Commissioners of their own accord have established competitive tests which are working excellently but need to be established on a permanent basis, as their successors can undo what is now being done.

In the United States Civil Service Commission we note some improvements in administrative details. Under the district system the Commission has been able to examine candidates near the place of employment in the field service. This is extremely important, for instance, in the Indian Service, where personality counts for so much, and where the three eligibles ought to be sufficiently near to be seen by the appointing officer before he makes the choice. The Commission has adopted a plan of minimum requirements in one or more of the important subjects of examination. For example, in an engineer's examination if the candidate fails to pass in the paper on engineers' duties, it is no longer

necessary to rate his other papers. This method which has long been adopted by other commissions, saves much unnecessary labor.

Attorney General Brown of Porto Rico, has rendered an opinion that the civil service law is contrary to the organic law of the Island, and is therefore null and void. The opinion is based upon the old and discredited theory that a law giving an official a power of appointment must mean that he has the power unrestricted by competitive examinations. The League's Law Committee has submitted to the Bureau of Insular Affairs of the War Department a unanimous opinion contrary to Attorney General Brown's and the opinion of the League has prevailed.

The Federal executive civil service of the United States now includes a total of 391,350 officers and employees. Of these very nearly two-thirds are in the competitive classified service, or are subject to competitive labor regulations. Of the 132,191 not subject to civil service regulations of any sort about 10,000 are Presidential subject to confirmation by the United States Senate, of which nearly 8,000 are first, second, and third class postmasters and a little over 2,000 collectors of customs and the like. 37,000 are fourth-class postmasters not yet classified as competitive; 12,860 are postoffice clerks in third-class offices without free delivery service, making about 60,000, and the remaining 72,000 are minor employees chiefly laborers on the Isthmian Canal; 3,600 employees in the Census Bureau within and outside of Washington, and 20,129 unskilled laborers mostly in Washington. The total increase in the competitive classified Federal service during the year, including those already mentioned, is, by Executive order, 4,106; and by automatic inclusion such as the extension of city delivery, 55.

In Congress no action on retirement legislation has taken place. The Lowden Bill in the House and the Lodge Bill in the Senate, enacting into law the present merit system in the consular and diplomatic services, failed to pass. President Taft in his recent message to Congress of December 7th again recommends the passage of these

bills. The Burton Bill for the classification of first, second, and third-class postmasters, and the Frye Bill for the classification of collectors, assistant collectors, surveyors, and naval officers in the customs service, both of which bills were recommended by the President and the respective Cabinet officers, failed to pass. Senator Smoot introduced on January 30 a bill to classify collectors of internal revenue, auditors, treasurers, assistant treasurers, general and assistant inspectors, appraisers and assistant appraisers, examiners of drugs, and officers of the mint and assay. This also did not pass. The Democrats in the House on its re-organization cut off \$120,000 worth of sinecures among the House employees; but they still have \$600,000 worth of patronage a year, all outside of civil service rules. We strongly recommend that these places be classified competitively, as has been done with so much success and economy with the employees of the Wisconsin Legislature. The Campaign Publicity Bill, requiring candidates for election in either house of Congress to make sworn returns not only as to campaign expenditures, but also as to any promises of patronage they may have made during the primaries or election campaigns, passed last August.

To come to the affairs of the League, during the year we have lost by death Archbishop Ryan on February 11th, Hon. Edward M. Shepard on July 28th, and Right Reverend Alexander Mackay-Smith on November 16th. Resolutions have been prepared and will be presented to the League, on each of these distinguished members. Our Assistant Secretary, Mr. de Roode, resigned early in the year, and has since been elected a member of the Council. His place has been taken by the former Second Assistant, Mr. Robert W. Belcher.

Our Secretary made a most fruitful trip to St. Paul, Minneapolis and Madison, Wisconsin. The office has also aided in the Pennsylvania and New Jersey campaigns for the merit system and in defeating the New York City charter with its bad civil service provisions. The office has been frequently consulted as to drafting laws and rules, especially for Illinois, Minnesota, New

Jersey, California, Michigan, Ohio, Pennsylvania, Wisconsin and the city of St. Paul.

Our Committee on Superannuation made a preliminary report at the Council meeting on October 20th, and will present a complete one at this meeting.

The executive officers have made several trips to Washington, calling on the President, Postmaster General, the Civil Service Commission, and other Government officials, as well as the President's Commission on Economy and Efficiency in the Federal Service.

The Committee on Application of the Merit System to Higher Municipal Offices is working in conjunction with a committee for the same purpose appointed by the National Municipal League. Mr. Dana read a paper before the meeting of the National Municipal League in Richmond in November, which was in the nature of a preliminary report from some members of this committee, and Mr. Woodruff, the chairman of the joint committee, will read a paper on the same subject at this meeting.

The Special Committee on the Removal Rule has just succeeded in having the old removal rule re-established, with some improvement in form. A history of this may be interesting.

To begin with, the removal rules apply only to persons in the competitive classified service. Prior to 1897 the only rule was a general one providing no procedure. On July 27, 1897, President McKinley amended the rule so as to require "written charges" "of which the accused shall have full notice and an opportunity to make defence," the final decision, however, to be made by the removing officer, with no appeal on the merits, but only in case the procedure was not carried out. This rule was in exact accord with the views the League then had and has ever since maintained. On May 29, 1899, the wording of the rule was modified to make its provisions more clear and exact; but the principle of it remained the same until 1905, when President Roosevelt made a summary removal of a chauffeur in the government service, and on November 17th of that year President Roosevelt amended the rule, changing it in two important respects, first, that "when misconduct is committed in the view

and presence of the President or head of an Executive department, removal may be made summarily, and no statement of reasons need be filed," and second, that in relation to all other removals the word relating to the procedure established by President McKinley was changed from "shall" to "may." This, then, reduced the rule to a mere suggestion. Generally speaking, the Departments have followed this procedure, but not always; and the civil employees have felt uncertain as to securing justice. The League has ever since urged the substitution of "shall" for "may."

On May 31st last, during an interview with President Taft in which this matter was brought up, he asked us to draw up and send to him a removal rule such as we approved. This was done by your Special Committee on the subject and this was sent by President Taft to the Civil Service Commission for an expression of its view. On July 12th the Commission in a letter to your Secretary advised him that bills were pending in Congress relating to the regulation of removals, and that it would be "highly indecorous" to take further action.

The Committee on the Removal Rule, as instructed by the Council arranged another appointment at the White House for November 18, but unfortunately all appointments were at the last moment canceled for that day on account of the indisposition of President Taft. Three of the Removal Committee held a conference, however, with the Civil Service Commission on that day, one of the Commissioners being absent.

Another appointment was arranged for at the White House Executive Chambers, and accordingly on December 7 the same three members of the Removal Committee, namely, its Chairman, the Secretary of the League, and the Chairman of your Council after a conference with the Civil Service Commission, and in company with the latter saw President Taft. At the end of a full hearing the President adopted in improved language the old removal rule which we have been advocating during the last six years.

This in substance gives every employee regularly in the Federal competitive classified service a copy of the

reasons for his proposed removal and a chance to reply in writing before final action. The rule leaves final action, provided the procedure has been duly complied with and there is no evidence of political or religious motive, wholly with the removing officer without appeal. This rule protects the employee and yet does not interfere with administrative discipline and is a procedure that we would recommend both in public civil service and private employment, and is, we believe, of the greatest importance to the cause of our reform.

The Committee on Consular Reform reported to the Council on October 20th on the Lowden and Lodge Bills for making the present Executive order permanent and on the operation of the present rule, and will further report at this meeting of the League.

As to the country at large, you will hear reports from the various local associations on the conditions in their respective states. There we find much progress both accomplished and prospective; but withal we see a most vital need for a large amount of work, both to keep what we have—which is but a small portion of the whole field and to gain the rest.

One most encouraging feature of the year, is that the people are coming more and more to understand the objects and appreciate the benefits of our cause. In every one of the many cases where they have had a chance to vote on that issue, pure and simple, during the year, whether in the East, the middle or the West of our country, they have been with us. A striking illustration of this popular support appeared in the large majorities by which civil service reform provisions, in five political divisions in the State of New Jersey, were adopted at the polls this autumn.

With this tide of popular understanding setting so strongly with us, we prophesy in the immediate future the greatest rate of progress we have ever achieved in our onward course.



## RESOLUTIONS OF THE NATIONAL CIVIL SERVICE REFORM LEAGUE

The National Civil Service Reform League, assembled in its thirty-first Annual Meeting, urges that the rule forbidding any display of partisanship or any political activity by public servants in the competitive classified Federal Service shall continue to be faithfully and firmly enforced, and that all persons guilty of disobedience thereto shall be punished promptly, impartially and with just severity; and it recommends that these prohibitions be soon recalled forcibly and officially to public attention, so as to spare the country this year the scandal of any intermeddling by any such classified Federal office-holders in the nomination and election of a President.

The League further urges that the like penalties be inflicted upon any executive Federal office-holder, whether his position be competitive or non-competitive, classified or unclassified, who shall use his office to control political movements, neglect his public duties to engage in politics, or cause scandal by his political activity in violation of the Orders of Presidents Cleveland and Roosevelt.

Moreover the League recommends that the rule prohibiting any partisan activity be at once extended to all Federal office-holders whose political opinions cannot properly affect their official duties. To the end that such office-holders may have no temptation or excuse for intermeddling in politics, as well as for other grave reasons of public policy, the League strongly endorses the wise and statesmanlike suggestion of President Taft that higher administrative offices be included within the classified service and filled, whenever practicable, through the promotion of worthy subordinates.

The League has seen with profound satisfaction a steady progress in the application of the Merit System to the appointment and promotion of state and municipal public servants, and the recent choice of earnest and per-

sistent advocates of that system to positions of high public trust in so some of our greatest cities. The League urges upon all such friends of good government in public office the paramount importance of preventing any partisan political activity on the part of their subordinates and of impartially protecting the latter from robbery in the guise of political assessment or any other form of coercion in the discharge of the duties of citizenship.

The League declares that the public interest imperatively requires the choice as civil service commissioners, whether Federal, state or municipal, of men in hearty sympathy with civil service reform, of unimpeachable integrity and sincerity of purpose and of such strength and independence of character as will ensure a fearless discharge of their vitally important public duties.

The League commends to careful and favorable consideration by those entrusted with the preparation of new or amended civil service laws or rules provisions for the standardization of public employments, determination of efficiency by records and frequent or continuous investigation into the quality of work done by members of classified public services.

The National Civil Service Reform League hereby records its recognition of the long and valuable services to the cause of civil service reform rendered by three eminent citizens whose loss to the country and its own work it is compelled to deplore.

Most Reverend Patrick John Ryan, Archbishop of Philadelphia, was one of its Vice Presidents from its Annual Meeting in 1896 until his death on February 11th of the present year, accrediting by his countenance and sympathy the principles and purposes of the League to all good men.

Honorable Edward M. Shepard, who died on July 28th last, was an early, zealous and faithful friend to Civil Service Reform, a member of the New York Association from 1880, of the first Civil Service Commission in Brooklyn for several years, and of the governing body of the League for more than a quarter of a century. A leader at the Bar, prominent in letters and noted for his devotion to the public welfare, his unwearied interest in

the reform and the time and thought he gave to its advancement stamped it as worthy of loyal support from every patriotic citizen.

In the death on November 16th, 1911, of Right Reverend Alexander Mackay-Smith, Bishop of Pennsylvania, civil service reform loses another of its oldest and most esteemed friends. Like Mr. Shepard, he became a member of the New York Association in 1880, and during thirty-one years of his busy and useful life never ceased to aid in advancing the work of the reform and promoting the acceptance of its principles.

## Civil Service Reform and Popular Government

CHARLES W. ELIOT, PRESIDENT OF THE LEAGUE.

For ten years past the American people has been manifesting in many ways a determination to win back for the voters that direct control over public action of which representative government as administered by political bosses and machines controlling party organizations had robbed it. This determination of the people has found expression in much new legislation. It seized on the referendum as a means of preventing the frauds and robberies perpetrated by elected officials in the gift, sale, or lease, of valuable franchises to public utility corporations. It utilized the initiative as a means of supplementing the slow, ineffective action of state legislatures and municipal councils. It proposed the recall as a means of getting rid of dishonest or inefficient public officers who had been imposed on the people by powerful bosses and rings. The rapid spread of the commission form of government, invented at Galveston, has been due to the conviction on the part of the people of more than one hundred and fifty cities that under that form they could rid themselves of the corrupt bands of professional politicians, which had made municipal government in the United States a by-word for inefficiency and dishonesty. Again, the people seeking for deliverance from the rule of nominating conventions managed by party bosses and their henchmen, set up party primaries as a hopeful substitute for conventions; and as fast as they learn by trial that party primaries can be managed by the bosses and machines almost as easily as conventions and caucuses were, they prepare to face the adoption of other means of defense, such as open nominations, the preliminary election, and the short ballot.

Still another manifestation of the people's determination to resume the power they have lost through the perversion of their representative institutions is their insistence on the direct election of United States senators.

The strength, large scope, and firm persistence of this popular determination cannot be doubted; and yet it has never struck at the root of the complete evil it is trying to remedy. That root is the money which the political machines control through the spoils method of appointment to salaried places in the civil service of the United States, the states and the cities.

The civil service reform to which this League has been devoted for thirty years is important as a means of increasing the efficiency of the public service, through the methods of inquiry and testing which secure appointments for good capacity and character; but it is vastly more important as the essential means of wresting from the bosses and machines the power to nominate and elect public officers, of restoring this power to the people, and so of improving throughout the country the conditions of political activity and public life. Civil service reform strikes at the root of the evil against which the American people has been struggling somewhat blindly—its loss of control over public affairs—by taking away the machines' means of subsistence. It is their grip on the vast total of the salaries paid to public officers appointed by the patronage method and on the personal services of such officers, which maintains the bosses, rings and machines. The patron expects the personal service and support of his appointees, and in the common estimation has a good claim on their time, and for party uses on the salaries he has procured for them. Officials who owe their places to a boss or a ring will always pay their debts in work for the party of the patron and for the patron himself and in contributions for campaign expenses. To do so is their personal interest.

Here is an immense fund of labor and money, much of which can be concealed, to be spent on accomplishing the purposes and prolonging the power of the senators, congressmen, governors, mayors and state, county, or city elected representatives and officials who control all the appointments not made on the merit system. Every political machine subsists on its patronage, and every boss maintains his bossdom at the public expense by appropriating the time of public servants which the public is

paying for, and parts of numerous salaries paid from the public treasury.

A patron is valuable in proportion to the length of his term of office, to his political prestige, and to his effectiveness in procuring and shrewdness in using opportunities to make appointments. A United States senator is a more desirable patron than a member of the House of Representatives; a four-year governor or mayor than a two-year; a permanent county official than one elected for a year or two. The most effective bosses have been men who held no office, but built up a durable power by skillful use, year after year, of the great patronage fund of services and money, reinforced by the contributions of persons and corporations who wished to buy or buy off legislation, and found it better to deal with one efficient boss than with numerous corruptible individuals.

The way to destroy root and branch this abominable product of the Jacksonian spoils doctrine is to extend the merit system of appointment to all national, state, and city offices. By so doing, the whole country would not only obtain much better service in all public offices, but also purify all its political life, and restore to the people the control of the public business.

How much progress towards this consummation has been made during the thirty years life of this League? Encouraging progress in regard to the subordinate places with low salaries, very little in regard to the higher grades with salaries worth assessing for political purposes. In the national civil service about 230,000\* places are in the competitive classified service, and the holders of these places are under no obligations to any patron and are prohibited from taking active part "in political management or political campaigns." On the other hand, nearly all the superior offices, having good or high salaries, are still filled by the patronage method. With few exceptions, the incumbents are indebted for their places to

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\*According to the last report of the United States Commission 227,657. This is exclusive, however, of about 25,000 navy yard mechanics and 6,500 laborers subject to competitive regulations but not strictly speaking in the competitive classified service.

some senator, congressman, party committee, or private referee, and feel it a duty to work for their patron on demand.

Over appointments to the higher salaried offices, which can only be filled "by and with the advice and consent of the Senate," that body has control; but under the practice called "the courtesy of the Senate" that control has passed to the individual senators of the dominant party. These higher offices cannot be classified under the civil service act of 1883 "unless by direction of the Senate."

The patronage power of senators and representatives is fully recognized by each successive administration—never more frankly than by the present—and accordingly postmasters of every grade (except fourth-class postmasters north of the Ohio and Potomac and east of the Mississippi), collectors of customs or internal revenue, United States district-attorneys, and marshals are all patronage appointees, owing and paying allegiance and service to the person or persons who procured their appointment. Many of these office-holders are able men skilled in political management and more industrious in such work than in their proper functions.

The average political appointee performs comparatively little service for the government. He was not appointed because of fitness and he rarely makes himself fit. The work of his office is done by his subordinates, most of whom to-day belong to the competitive classified service. Except at Washington and a few other cities the spoils offices could be left vacant without any serious impairment of the service. Nothing could be more unbusinesslike and wasteful than the present mode of filling the higher places in the civil service; but the wastefulness of the spoils method is of little moment compared with its corrupting effect on the political life of the people.

The civil service of the states and cities is on the whole not so far advanced towards a sound merit system of appointment as that of the nation, although a few states have passed respectable laws, and a few cities have made strong efforts to secure a service free from political influences and selected for fitness only. The numerous

cities which have adopted the commission form of government have frequently procured the insertion in the new charter of an article providing a merit system for the selection of the city's servants; but these provisions have not all been well designed to secure the end in view. Some of the civil service commissions established have not been independent themselves, others have been improperly constituted, and others still have been denied adequate appropriations. On the other hand, the State of New York and the city of Chicago have used the merit method of thorough inquiry and competitive examination with perfect success on candidates for well-paid positions as experts.

Under existing conditions office holders, national, state, or municipal, control party organizations and committees on credentials and resolutions dominate conventions, cut and dry primary elections and take care in good season of the membership of legislatures. The federal office-holder's machine, particularly active in the Southern States, is organized in Washington, and more than once a Cabinet officer has been the real head of it. It may easily hold the balance of power in the National Convention of the party in office, and so control both the nominations and the declarations of policy. State and city conventions often exhibit like phenomena.

How can the people rid themselves of this intolerable obstruction to the free exercise of their honest will? Only by extending the merit system of appointment to the entire civil services of the country, and establishing the general rule that civil servants are not to take active part in party management or political campaigns. Presidents Hayes, Cleveland and Roosevelt all protested against the political activity of civil servants; but their declarations produced little effect, until in 1907 President Roosevelt issued an effective order prohibiting persons in the *competitive classified service* from taking part in political management or in political campaigns. The enforcement of this order was entrusted to the National Civil Service Commission, which had no difficulty in enforcing it. Indeed the order was welcome to the subordinate employees



to whom it applied. The remedy for the great evil of boss, ring and machine management of politics is plainly indicated in the effect of President Roosevelt's order to the competitive classified service, namely, make the whole civil service of the country, national, state, and municipal, a competitive classified service, and prohibit political activity to civil servants. When all the superior offices as well as the subordinate are filled with men appointed or promoted for merit, the country will get from its servants the whole time it pays for, the mind of each servant will be in his work, and not in party politics, the service of a patron, and the preservation of his own place, and then the greatest hindrance to good government in the United States will have been done away with.

This is the goal of the National Civil Service Reform League. The League has every reason to be of good courage in the prosecution of its patriotic labors. The merit system, incomplete as it is, has proved its value wherever it has been applied. The effective order against political activity has proved to be welcome to 230,000 persons in the classified service of the United States. The President of the United States in his message to Congress last year practically recommended that the entire civil service of the national government, including the offices now filled with the advice and consent of the Senate, be placed on the merit system of appointment, with the exception only of "officers responsible for the policy of administration and their immediate personal assistants or deputies."

Until these recommendations are adopted civil service reform cannot demonstrate its full advantages. The best kind of young men will not enter a service, except for some temporary object, or will not remain in it, if they can have no access to its higher places. The civil service, national, state, and municipal, ought to offer a highly satisfactory career to energetic, ambitious, and patriotic young men. It has not for two generations.

The work which lies before the League will be even more beneficent than that it has already done, for it will

be concerned with the higher branches of the service. From the beginning it has been a work of public instruction in political morality and in the business-like conduct of public administration. It is that to-day; but it also teaches with new urgency that the moral success of republican institutions requires the complete eradication from all the public services of the spoils or patronage system of appointment and promotion.

## Address

HON. WILLIAM DUDLEY FOULKE

I noticed when Mr. Storey spoke of the necessary absence of your honored Provost he said the duty would remain with him to sit here and listen to our speeches. I will try to make that penitential period as short as possible.

Amid the historic surroundings of your University there can be no reason to remind its students that they should devote themselves to the service of their country. I believe there is no channel which leads more surely to the improvement of political conditions in nation, state and city than the advancement of the competitive system.

There is a tendency among reformers to think if the one particular thing on which they have set their hearts can be accomplished, the world will bask in eternal sunshine forever. The friends of the silver theory of 16 to 1 believed that if it were adopted, poverty would be largely eliminated, justice would reign in this great land of ours and we would all be happy evermore. Some of our friends who advocate the total prohibition of the liquor traffic believe that if this is once accomplished vice and crime will be eliminated. Others who are advocating the cause of arbitration believe that through it the reign of peace will be extended over all the universe. It is in no such spirit as that that I come to offer my plea for civil service reform. It is not a universal remedy. It is a specific for one particular disease, for that kind of corruption which is nourished by the spoils of office. That it will cure.

Corruption is of two kinds—that which is nourished by the love of money and that which is nourished by the love of office. The two are close kin. But where we find that the corruption nourished by the love of money continues rampant in our land, we find that particular kind of corruption nourished by the spoils of office has been largely eliminated from our Federal Government and many of our cities and states. This has been

done by a device known as the competitive system, or civil service reform.

There are three classes of remedies for corruption :

The first is penal legislation,

The second is a change in the heart of the community, or moral regeneration, and

The third is a system of devices by which the temptation to do wrong can be taken away.

Penal statutes are necessary for certain grave, palpable crimes, but I am sorry to say that they are very ineffective in our country. There is very little hope of conviction of more than a very small portion of those who are guilty, and while they are necessary for the prevention of the graver crimes, they are quite ineffective in other cases.

The moral regeneration of mankind is the best of all. If you can once make men good so they will not want to do wrong there is no other need of reform. But the churches have been busy for more than two thousand years trying to make mankind good by teaching us how to live, and yet vice and crime are still rampant throughout our land.

There are evils limited in number which you can reach in an easier way by removing the temptation to do wrong. Where that can be done it is more effective than in the case of reforms that depend on the transformation of the human heart.

In civil service reform, as the Australian ballot, you can prevent men from being tempted to do wrong by making it impossible to do wrong. In the Australian ballot the evil was the purchase of votes or the coercion of the voter by some one who had power over him, either his employer or some one else. If the man who tried to buy or coerce could not tell whether he had succeeded in his object or not, the temptation was taken away, and so far as the Australian ballot is really a secret ballot it has measurably accomplished the result desired.

The civil service system proceeds on exactly the same principle. What is the evil of the spoils system? It is the distribution of public offices by discretionary power to reward personal and party services or to secure political or personal support. Where you can take away the power to distribute offices in that way and distribute

them automatically by a series of fixed rules, there you have taken away the temptation to do that which the spoils system allows.

In order to discuss properly the questions of civil service reform, I would like to consider the rise and nature of the spoils system which it has superseded. I have always felt that the spoils system came in from the inherent nature of our institutions at the time of Andrew Jackson, and would have come then or later whether Andrew Jackson had lived or not. A popular government like ours depends on the existence of parties. The men who think alike will unite and vote together, and will organize for the purpose of giving the greatest effect to their votes and their joint action. When you have parties and have the hunger of partisans for office there you are bound some time or other to have public offices used for party purposes, if the power to make appointments is discretionary.

When our constitution was framed our fathers did not foresee all the consequences of party government, and they provided that in appointments in the Federal service the power of appointment to the greater offices should be vested in the President with the advice and consent of the Senate and to subordinate offices in the President alone, in the heads of departments or in the courts of law. No method was provided for making the appointments. They were discretionary. You have a President and Cabinet officers invested with the power of making these appointments at will, and you have partisans in Congress who are necessary to the President for carrying out the policies he wants, and it is inevitable that these offices will sometime or other be used for party, if not for personal purposes. In the early days we got along pretty well because custom at that time made it unusual for men in large numbers to be turned out with an outgoing administration; but the germ of political appointments was there, and with Jackson came "the clean sweep," and the spoils system.

The President must depend on Congress for necessary legislation, for appropriations to carry on the government, for all measures he deems desirable to carry out the policy to which he has committed himself. The

members of Congress think if they give the President what he wants he ought to give them offices for their friends and political supporters, and so a system is developed something like this:

All these offices are distributed among the Congressmen belonging to the party in power. They are divided among the districts, and to each Representative are given the post offices, clerkships and whatever may be in his district. The Senators are entitled to the patronage from the state at large and all have a share in general patronage, the consuls, etc. Sometimes that is made very aige of the consuls, etc. Sometimes that is made very systematically. Once I had occasion to examine the census appointments of Robert P. Porter. He opened a ledger with the members of Congress, credited them with the appointments they were entitled to and charged them with the appointments made. In that system the Democrats in consideration of helping through the appropriations were credited with half the number of appointments given to Republicans, so that by determining to which party a man belonged it was determined how many appointments he was entitled to, and the salaries were equalized as nearly as possible. A separate page was given to each Congressman, and as soon as a man left Congress his account was transferred to a general list of employees at the end who were presumably the subjects of early decapitation.

There were some specially influential Senators or Representatives who seemed to have more than their share and to have overdrawn their accounts. The late Senator Gorman, of Maryland, who lived near the storm center of appointments, and was particularly adept in putting through the different bills which Mr. Porter desired, had considerably overdrawn his balance, while others had not received their full quota. That is the way patronage is distributed, though the officials who make the appointments don't all keep ledgers.

You remember in political economy we have certain axiomatic principles upon which we consider that men will act. They will get the most they can for a given amount of labor; they will buy in the cheapest market and sell in the dearest. It very rarely happens that they

actually sell in the dearest market, because they don't know where it is. But that is the general tendency by which all men are animated. Therefore, it lies at the bottom of that science which we call political economy. The unit is the dollar—so many dollars you pay for the thing you buy and so many you receive for what you sell. In the spoils system it is the vote value of the man that you consider. The man who can control his tens of thousands of votes will get a foreign mission, perhaps, or a place in the Cabinet. A man who controls thousands will get a collectorship in an important port. The man who controls hundreds of votes may get a post-mastership, and those who control scores may get a clerkship.

A few votes in a convention or caucus may be worth a great many votes among the people, so they have more value, and it is the vote *value* of a man that determines. No one can tell exactly how many votes any man is worth, but the men who appoint can make a stagger at it and estimate it as nearly as they can, and that they do in the spoils system.

What are the results of the system? The first is that you have bad men and bad service. The men are appointed not because they are competent to do the work, but for their political power, and, therefore, you will appoint men who do not know how to do the work they are appointed to do—incompetent men. In the census mentioned the supervisors in New York were appointed by the party organization: the enumerators also. The police in New York took another census and found that the population was considerably larger than shown by the Federal census. I made an investigation of the second ward myself and I personally ascertained that some of the enumerators who had got their lists of men had then lost them and never took the trouble to get new ones, and the result was that the population of New York as shown by the census was many thousands short of its actual population. That is the way the Government business was done under the spoils system.

Another thing. There is no discipline in the office. Though the head of the department is supposed to make all his appointments, he does not do so. Each Congress-

man has so many, and the department chief cannot displace the men who are appointed by others and whose tenure of office, therefore, usually depends on the Congressman and not on the normal head of the office. An employee will neglect his duty, will drink, and the question comes up, shall he be discharged? Suppose he is discharged. The Congressman comes in and says: "You turn out the most valuable man to me in the whole district. You must put him back and stand it. And so, through fear of offending the Congressman and losing the appropriation, the incompetent man is brought back, the drunkard or embezzler stays in the public service. You have bad service and bad discipline.

There are some things worse than that. It interferes with the proper activities of members of Congress. We send members of Congress to make laws for us. We do not send them to peddle offices. Yet on one occasion (the first year of President Harrison's administration) I made some inquiries as to the number of offices at the disposition of each Republican Congressman, as to the number of applicants and as to the time spent, and from the answers received I found each Congressman had some 250 offices at his disposal, there were between 1,700 and 1,800 applicants, and more than one-third of his working hours was spent in peddling offices, and in that Congress less than ten per cent of the bills introduced were ever considered. Congress did not have time to devote to it. Nine-tenths of the bills were not acted on at all. That is an injury to legislation.

In a form of government like ours the confusion of governmental functions is an evil. We would think it a bad thing if a man who sits as a judge to decide a case should also act as sheriff and go out and enforce the judgment. But here we have the legislature performing executive functions and devoting its time and strength to administrative business with which it ought to have nothing to do.

Then there is its effect on the whole electorate. When an American citizen goes to the polls he is supposed to vote for the principles in which he believes. Anything that interferes with that is wrong. Why is it a crime to sell a vote? Because he must not



put his personal interest against the thing he ought to vote for, and he does this if he takes five or ten dollars for his vote. It is just as much a crime if he is to be paid in office for himself or friends and fails to vote his convictions. In other words, the Federal offices, which now amount to nearly four hundred thousand, would, under the old spoils system, be the great bribery chest out of which men should be paid for their votes and their political action.

The one thing that popular institutions cannot stand is to have the determination of the popular will thus influenced, whether by money or by place.

Now then, the spoils system being a bad thing, how will we change it and correct it? You will have to consider how it originated. It originated from party government and from discretionary appointments. You cannot abolish party government because in a free country we must have party government. You can abolish discretionary appointments, and why not do so? We should object to going into a court if we knew a judge could determine to do with us what seemed to him good without regard to the law of the land. Law is a system of rules. Why should a public officer act any more arbitrarily in respect to his appointments than in respect to anything else? People talk of the merit system being monarchical. It is quite the reverse; it is the old system of arbitrary appointments that is the remnant of autocracy which still persists in a government which has in the main outgrown it. That is the blighting excrescence on our tree of liberty. We can prevent arbitrary appointments by providing that they shall be made according to certain fixed rules.

What sort of rules shall they be? That also is developed from the nature of the case. Every place to which we propose to appoint a man to is a place where he is to do some work. Our object should be to have the office efficiently administered. No man has a right to an office unless it be the right of the fittest man to claim it on account of his fitness. An office is a trust. The trust is to do the duties of that place; not any other place, or any other kind of duties but the duties of that place. Now, if we can establish a system of rules to

determine what man is best qualified to do the work he seeks, you have a rule which ought to fill the place well.

No man should be a reading clerk if he cannot read, nor an engrossing clerk if he does not know how to write plainly, yet I have heard reading clerks that could not read and I have tried to read the writing of engrossing clerks who could not write. How can you best find out how a man can perform the duties of the offices he seeks? First examine him and then try him. A man ought not to be a policeman if he cannot run fast enough to catch a thief, or be strong enough to hold him, or if he does not know when to take a man with or without a warrant. We find almost every kind of capacity can be adequately tested by some sort of examination. Even scientific and technical attainments can be tested, and physical skill as well as intellectual.

The rules then should provide for an examination. But we ought to seek not only a man fitted for the duties, but the man best fitted for them. To find out who that man is, the examination should be made competitive, and all should have a chance to apply. Every American citizen should have his opportunity. Then let the worthiest succeed. In that way we apply the great law of Nature, the survival of the fittest. But a man may *know* the duties of the place he seeks and yet may fail to perform those duties. A probationary term should, therefore, be imposed. When this is done and suitable evidence of character is required and obtained, we have, I think, as good a system as can be desired. The class of men secured in that way is far better than that secured by the spoils system.

Of course, no one will say you always get the best man; but the average is better than by any alternative you can propose. We have had ample opportunity to test the system. Sometimes in a certain department a certain number came in under the old system and some under the new; under the spoils system there were often thirty per cent of removals annually and in the competitive service only five per cent. Either a great many good men were unjustly discharged by the spoils system, or else there were a great many bad men appointed.

In every presidential election we used to have a disheartening spectacle of a "clean sweep" of the offices, and not only did this occur on a change of parties, but also when there was a change of different factions in one party. In the New York Custom House, for instance, inexperienced men would be put in to learn the work of others.

In regard to the machinery by which the reform is accomplished; the President appoints three commissioners to aid him in making rules. They make these rules. All who pass the examination by, say, seventy per cent are put on an eligible list and a requisition is made on the Commission to fill a certain place. The three men that are highest on the eligible list are certified, and from those three the appointing power makes the selection.

When the civil service law was passed in 1883 it first applied to some fourteen thousand places only; then the free delivery in cities and then the railroad mail service were included. One President after another enlarged the classified lists, until now we have a quarter of a million places in the competitive service. See how it has grown! Then the states began to take it up, and the cities. It is in the constitution of New York that there shall be a civil service system. In some places the law is well administered and produces the best results. In some places, as in Philadelphia, for instance, it has not been well administered. But I believe that here, too, better days are coming and that the time is not far distant when we shall everywhere look back on the spoils system as a feature of a barbaric age which has forever passed away.

## Coal Hod Politics

HON. WINFRED T. DENISON, ASSISTANT UNITED STATES  
ATTORNEY-GENERAL

Some years ago in New York a friend of mine asked me whether I did not think that it was my public duty, being a Republican and holding a public office, to go into my district Republican organization and take a share in its work. I said that all my energy and time were taken by my official duties at that particular period, but what specifically was the work he wanted me to do?

This was his answer: "You would join the Republican Club of your District and spend all the time there that you could, particularly in the evenings; get acquainted there with the voters, especially with the poor voters; gain their confidence; then in the course of time when they needed some advice, say in a legal matter, you would give it to them; or if they were out of work you would hustle and get jobs for them; or if they were out of food you would get them food; or if they were out of fuel you would get them coal. Thus you would in time gain their confidence and friendship and hold their votes for the party."

That question goes very deep. It goes to the foundation of our politics.

In some form or other, and sooner or later it will be asked of every one of you men who desires to do his share in our political work, and it behooves you to consider very carefully what answer shall be yours.

Shall you spend your time and your energy and stake your careers on Coal Hod Politics or the Politics of Ideas?

You will find it hard, if not impossible, for any individual man to mix the two, and be effective.

I take it to be the fact that at least here in the East most of our party organizations, of either party, are

founded upon the Coal Hod theory, in which I include the theory of what in political parlance is known as "Bone-hunting." For the benefit of those who I hope are not familiar with this phrase, I will say that it means the hunting out, securing, and distributing of public offices in which and by which to compensate and support party workers for their party work. That is to say, the party organizations undertake to be patronage charitable organizations for the purpose of controlling votes.

I suppose the most perfect examples of this political method are Tammany Hall in New York, and the Republican machine here in Philadelphia.

Tammany Hall is said to be the biggest charitable organization, outside the churches, in New York.

Its theory in this respect has been very frankly stated by a once famous Tammany district leader, George Washington Plunkitt, in those wonderfully frank discourses which Mr. Riordan has published under the title, "Plunkitt of Tammany Hall." Plunkitt put it this way:

"A political organization has to have money for its business as well as a church, and who has more right to put it up than the men who get the good things that are goin'? Take, for instance, a great political concern like Tammany Hall. It does missionary work like a church. It's got big expenses, and it's got to be supported by the faithful. If a corporation sends a check to help the good work of the Tammany Society, why shouldn't we take it like other missionary societies?" (Page 135)

And, again he says:

"No other politician in New York or elsewhere is exactly like the Tammany district leader, or works as he does. As a rule, he has no business or occupation other than politics. He plays politics every day and night of the year, and his Headquarters bears the inscription 'Never closed.'

"He is always obliging. He will go to the police court, put in a good word for the 'drunks and disorderlies'; or pay their fine if a good word is not effective. He will attend christenings, weddings, and funerals. He will feed the hungry and help bury the dead.

"A philanthropist? Not at all. He is playing politics all the time." (Page 167)

As a question of personal taste and self respect, some of you may prefer to take your charity straight. Some of you may think that a policy such as Plunkitt described is a base and ignoble thing, degrading the name and spirit of charity, and having neither true charitable purpose nor true charitable effect. Its effect I shall discuss in a moment, but now I wish to recognize the fact that on moral grounds, the method would very likely be distasteful to many of you, though I know it is not so to many high-minded and genuinely public-spirited men.

Some of you may decide that you can work more congenially and more usefully, by devoting your time and energy to an effort for efficient administration of public affairs.

If you select that course you will quickly find that there is a direct and bitter antagonism between efficient administration and the Bone-Hunting Politicians. It doesn't matter much here in the East which party organization you have to deal with. They are both built and operated on the same theory and they both devote the bulk of their activity to the function of keeping themselves alive, which they see no possibility of doing except by "bones." This means that they have got to give their workers either jobs for which the men would not be considered fit in the open market, or jobs carrying higher pay than the open market price of the men would be. The balance is credited to private political service over and above, or perhaps instead of, real public administrative value.

Of course this simply means that the public treasury pays the bills of that party organization which happens to be in power, quite as really as if that party organization took the very coin directly from the treasury.

The mass of voters are beginning to realize that from the point of view of the public administration, the bone-hunting system is the root of all evil, and that is the reason why the civil service reform movement is so momentous in its importance.

Plunkitt realized this fundamental conflict with absolute clearness. He said:

"The time is fast coming when civil service or the politicians will have to go. And it will be sooner than they expect if the politicians don't unite, drop all of them minor issues for a while and make a stand against the civil service flood that's sweepin' over the country like them floods out West." (Page 76)

"Oh, that mine enemy had written a book!"

That battle is well worthy of the labor of any man, and, as I say, it may well be the more congenial of the two lines into which you can go.

But of course only comparatively few of you can have opportunity to do their public work in office and as to the others the question recurs:

Shall you give such of your time and energy as you can set apart for public affairs to the collection and distribution of "Bones" and political hods of coal? Or shall you give it to fight for political ideas?

My friend, like many other fine men, especially in the last generation, thought that the present organization method, the imitation-charity method, was the only practical way to maintain an organization and give it a voting power. He accepted the theory on opportunist grounds.

Very well, let us get down to hard facts of plus and minus.

What man of any big vote-getting ability has appeared in the last decade, or in the last two or three decades, who came up by the Coal Hod route?

Did Hughes? He would have none of it and by that rejection he incurred the bitter hatred of the organization. They had a very unpleasant experience of him from the very beginning of his first term and found to their amazement that even when actually in office he persisted in the foolish and impracticable whim that his duty was to get a dollar's worth for a dollar's pay of the public money, even though this deprived his own party organization of the "bones" they "had to have."

Yet in spite of this experience they renominated him in a convention absolutely controlled by men who hated him bitterly, because they thought him untrue to the party

and ungrateful to it. Why did they do this, feeling as they did? Was it not because they knew his political ideas and methods *had the votes* and their immense structure of coal hods and bones did *not have the votes*.

The same thing has been illustrated in the careers of two most influential Democrats representing two quite different points of view, Cleveland and Bryan. Neither of them rested for political value on the patronage theory.

Consider also Roosevelt. As the historian Rhodes recently said, no President up to his time, made so great an advance as he for civil service reform. True, Roosevelt, unlike Hughes, having grown up in the transition period, believed in a middle course. He frankly yielded to the organization to some extent in the matter of patronage, considering that in the then existing state of public opinion it was a necessary evil which he could not eradicate at once. Hughes, on the contrary, put the plow right straight through without any compromise, and that very fact was, I believe, one of the most influential sources of his vote-getting power. Personally, I think Hughes demonstrated beyond the shadow of a doubt that at the time when he was Governor, and Roosevelt was coincidentally President, even Roosevelt's comparatively slight concession was neither necessary nor helpful even as a practical matter; but however that may be, will any one venture to assert that it added a drop in the bucket to the general public voting support which Colonel Roosevelt got by his ideas and his action?

Have we not seen men emerge all over the country who got immense voting support merely from their very opposition to the patronage system, and have we not seen the bone hunting politicians again and again compelled to put forward such men for the very reason that opposition to their own political methods gave greater voting strength than the application of them?

A most interesting incident is the case of Mr. Stimson. When he was District Attorney he refused point blank to make any appointments for patronage purposes, realizing that if he did otherwise he could not successfully put through certain great litigations which he considered of transcendent public importance. I once asked one of



the more enlightened of the political machine leaders there during this time whether he did not realize that the successful conduct of Mr. Stimson's office was a better vote-getting asset to the Republican party than the \$28,000 a year of salaries in the office would have been. He said they thought to the contrary; but when they were compelled to select a candidate for the governorship who might have some chance to stem the tide that was running against the Republican party they had no man in all their coal hod carriers who had the slightest possibility of equaling Mr. Stimson in his hold on the public confidence, and that hold Mr. Stimson could never have got if he had yielded to their persuasions and thrown his office over to their workers.

"Well," my friend said, "that may be so in the country at large, but we live and must work in a great city with an immense population of poor people, and poor people," he said, "can not be influenced politically except by the Tammany method."

I resent the fact that the organizations of both political parties in our big Eastern cities are founded upon the theory that the mass of people have no principles and can be swayed only by those concealed forms of bribery which are involved in the distribution of "bones" and coal.

Here again it is Plunkitt who states the proposition with the most force:

"Brought up," he says of the typical district leader, "in Tammany Hall he has learned how to reach the hearts of the great mass of voters. He does not bother about reaching their heads. It is his belief that arguments and campaign literature have never gained votes." (P. 168)

In some ways the most interesting demonstration of the fundamental error of the political organizations in their estimate of human character, particularly in reference to the poor, has been furnished by Hearst. We may think what we like of the character and soundness of his ideas, but has he not proved at least the fact that Ideas are more effective vote getters than Coal, even with those voters whom the party organizations are disposed to think too benighted to entertain ideas? In 1905 Hearst entered

the New York municipal campaign against McClellan and Ivins, who had behind them not only substantially all the conservative voters, but also both the organization machines, with all the Plunkitts and their charity labors since the Revolution. Against this phalanx—the utmost power I suppose that coal hod politicians have ever marshalled together—Hearst, without an organization, without patronage, with substantially nothing but ideas and newspapers to publish them in, got almost double the vote of Ivins, and came within 4,000 votes of McClellan. In Plunkitt's own district, Hearst got, out of a total of 7,800 votes, only 500 less than Plunkitt's candidate, and he got 1,700 *more* than the Republican district leader's candidate.

I say you can think what you like as to the soundness of Hearst's ideas and as to the morality of his newspapers. All that we are concerned with here is Plunkittism, and as to Plunkittism I say that Hearst has proved conclusively that the poor voters of New York can not be held by hods of coal against ideas.

The same political ideas were prevalent in Chicago until Mr. Fisher and Mr. Crane, and their group of young men, such as you and I, made up their Municipal Voters' League and took up the challenge of the Plunkitts, announcing their belief that the people of Chicago would not stand for crooks *if they knew they were crooks*. The League went with this proposition into the actual wards, rich and poor, and proceeded to show up the crooks and they found that Bath House John, with all his "bones" could not hold the poor voters against them. For fifteen years, by this method, the League has controlled the Chicago Council, changing it from the usual stripe of coal hod body (with a membership, as has been said, very few of whom could have been "suspected of being honest"), to a body of public spirited, honorable men, on which it is considered a high distinction to serve.

Do you believe that the people of New York and of our other big cities, cannot be made to understand, by such methods of education as these, that Tammany Charity is the Kindness that Kills;—that it is Red Riding Hood's Wolf?

Suppose for instance you show clearly to Plunkitt's constituents that tuberculosis, which has brought anguish to most of their tenements, either to their own families or to their neighbors, had been fostered there by violation of the laws concerning tenement air space and windows, and that these illegalities existed because the force of tenement inspectors was made up of Plunkitts, appointed by Plunkitts, and for Plunkitts, and appointed not to inspect tenements but to do political charity work.

Suppose, again, you show clearly to Plunkitt's constituents that tuberculosis had been fostered among them by lack of any sufficient supply of small parks. And suppose you show clearly that the reason why they cannot have additional parks is that the last one cost the price of two, owing to the fact that George Washington Plunkitt had bought up the land ahead of the city and had sold it for twice its value to himself, acting in behalf of the city—under the name of—say—"Thomas Jefferson" Plunkitt.

Suppose, after making this clear, you should read to Plunkitt's constituents his own description of the process, in his famous chapter on "Honest and Dishonest Graft":

"I'll tell you of one case. They were goin' to fix up a big park, no matter where. I got on to it, and went lookin' about for land in that neighborhood.

"I could get nothin' at a bargain but a big piece of swamp, but I took it fast enough and held on to it. What turned out was just what I counted on. They couldn't make the park complete without Plunkitt's swamp, and they had to pay a good price for it. Anything dishonest in that?

Then suppose you put beside this the following:

"And the children—the little roses of the district!

Do I forget them? Oh, no! They know me every one of them, and they know that the sight of Uncle George and candy means the same thing. Some of them are the best kind of vote getters." (p. 53)

What will the people of the tenements, if they once "get on"—what will they do to the Plunkitts?

And if the men folk have any hesitation on the subject, what will the women folk say about it?

And do you suppose even that the children would prefer the candy, if they knew, for instance, that it came from a system which meant that they should not have adequate play grounds and parks, and that many of their brothers, sisters and friends were doomed to suffering or perhaps to death, because of preventable diseases which were actually fostered and encouraged by that kind of political administration?

It is for you to decide, whenever this question arises, into which army you will go. You may say that you have very little to contribute, but every mite counts, as you well know, and you never can tell whether even the slightest contribution which you may make will not roll up into a great public force.

I think that you will find politics of ideas not only morally more satisfactory and practically immensely more effective, but even a great deal better fun, for as Colonel Roosevelt once said:

"Aggressive fighting for the right is the noblest *sport* the world knows."

## Address

MOORFIELD STOREY, VICE PRESIDENT OF THE LEAGUE.

I have been asked to preside at this meeting in place of President Eliot, who, on his way to preach the gospel of peace to the nations of the East and of Europe, has been stricken down, and now lies ill in Ceylon. You will all rejoice when I say to you that the operation which he was compelled to undergo seems to have been entirely successful, and he is now on the high road to health. Every good citizen of the United States must be glad of this good news.

It is now more than thirty years since we enlisted in the cause of civil service reform, and at that time the most sanguine among us felt that our complete success could not be won in less than fifty years. The spoils system had taken such firm hold of the American people that it seemed a Herculean task to uproot it. It is with profound satisfaction that we review our progress during the years that have gone, for it has been rapid and sure. I have seen nowhere such convincing proof of that progress as the inscription which blazes to-night on all sides of Philadelphia's city hall: "Welcome, Civil Service Reform League." A few years ago such a welcome would have been impossible.

As the result of our efforts we point to the fact that out of more than 390,000 positions in the executive civil service of the United States, two-thirds are protected by the civil service rules, and that bills have been introduced in Congress, supported by the Administration, which will place the larger portion of the most important offices that remain in the competitive class. "Eternal vigilance is the price of liberty" in this as in every other political contest. The spoilsmen continue to make covert attacks. They steal a few offices here and there. They take advantage of any laxity or indifference on the part of those who are charged with the duty of enforcing the law, but no political party would now dare openly to oppose the

principles of civil service reform, and these principles have now become a part of our political faith. The American people believe in the reform, and whenever it is attacked they will rise to its defense. This in itself is victory, for whenever the people have the will they will make the way.

But, while we have much upon which we can congratulate our fellow countrymen and ourselves, the battle is by no means won. Out of all the states in this Union only six have adopted civil service reform, and of our great cities most are still administered by the spoilsmen. It is absolutely amazing and at times discouraging to see how easily a few corrupt and selfish men continue to plunder intelligent American communities.

Yet the gospel which we preach is very simple. We only ask that the American people who from their taxes contribute every year a large sum to be expended in securing for them good government should receive what they pay for; that men should be appointed to office because they are fit to discharge its duties, and should retain their positions as long as they remain fit. We pay to have our streets clean, our water pure, our lives and property protected by efficient policemen, all our civic wants supplied. Yet we sit by and see our money wasted or stolen, and our business neglected with an apparent feeling of helplessness which is really pathetic.

We feel that no man should be permitted to practice medicine or law without thorough training. If a man would be a manufacturer he must begin at the beginning and work as a hand. No plumber can come into our houses unless he has proved his skill and received a certificate of some kind. For every kind of private work men must be trained, but if the work is public we seem to believe that any man, no matter how untaught, can do it. This distinction between private and public business exists only in the minds of those who profit by the spoils system. No private business could exist long which was managed with as much incompetence, dishonesty and wastefulness as are the affairs of our great cities.

You citizens of Philadelphia have always before you an object lesson which should be convincing. On the one

side stands the Pennsylvania Railroad Company, which trains all its employees for its service, and whose tests are very exacting. The result is the most efficient railroad management in the United States. The railroad is a just source of pride to you all. On the other side stands your city administered on exactly the opposite system, and for years its reputation has made you blush. The Pennsylvania Railroad's stations, its roadbeds, its bridges, and all its equipment are monuments to the system of government by fit men. The Capitol at Harrisburg and the City Hall at Philadelphia with their histories are monuments to the system which we condemn. Choose ye.

It is discouraging also that even Presidents and Governors who profess to believe in the principles of civil reform, use their power of appointment to control Congress and State legislatures. When the President gives or withholds patronage from Senators and Representatives according as they vote for or against his wish, he is in fact using the money raised from the taxpayers to pay for postal or customs service, for battleships or forts, to buy support for his personal views. He and the Senator may differ as to what should be the rate of duty on wool. The Senator's constituents may want one rate and the President may prefer another, and if he buys the Senator by offices, he bribes him to betray his constituents. It is amazing that honest men do not at once see that this use of patronage is a dangerous form of bribery.

We are on the eve of a Presidential campaign, and everyone knows how until now it has been the custom to pack the nominating convention of the party in power with officeholders in the interest of one candidate. They are employed to elect delegates at state and district conventions, and in a Republican convention delegates thus chosen from states that do not choose a Republican elector may control the party's nomination. This practice makes the Federal officeholders an army of mercenaries, paid out of the public money to defeat the will of the people who pay the money, and to help the fortunes of an individual who without their help could not be chosen. If the people want a man he needs no such mercenary support. If they don't want him the people's own ser-

vants should not force him upon them. We shall do well to watch the coming contest and do what we can to detect and expose such evil practices.

But I am not here to speak, but to let others speak; and I must address myself to my proper work. When the returns of last November's election were flashed over the country there was no result which gave such sincere delight to every friend of good government as the result in Philadelphia. We had long watched your battle for good government. We had lamented your unvarying defeat. We had known Mr. Blankenberg as conspicuous among your leaders, always brave, always fighting, never discouraged, and it seemed impossible that he, most conspicuous champion of honesty, should be elected. When the news came it seemed too good to be true, and when we realized it everyone rejoiced to think that Philadelphia was no longer "corrupt and contented."

It is therefore with peculiar pleasure that I present to you as the first speaker the Mayor whom you have chosen and whom you all know too well to need any introduction at my hands.

Mayor Blankenberg.



## Address

HON. RUDOLPH BLANKENBURG, MAYOR OF PHILADELPHIA.

I am not a new member of the Civil Service Reform League, having joined the League nearly thirty years ago. I have preached for nearly thirty years—now I mean to practice. There is so much difference between preaching and practice. Preaching is generally done before and practice is not put into operation after election; but I can assure you, my friends, it will be different under the present administration. The spoilsmen will have to take a back seat—I care not under what label he is traveling, whether he is labeled Republican, Democrat, Key-stoner, Prohibitionist, Socialist, or what not.

It seems almost incredible that it should have taken so many years to convince the intelligent people of our great country, the intelligent people of the Commonwealth of Pennsylvania, the intelligent people of the City of Philadelphia, that it pays to have real Civil Service and practice it. It has been stated that the result of the late election seems like a miracle. I take it to almost be such. The miracle traversed a great many lanes and avenues, and all concentrated at the turning point, in one direction, "The Redemption of the City of Philadelphia." We have for many years suffered from conditions that were admitted even by those who profited from them as intolerable, yet as long as they or their friends were beneficiaries they did not raise a finger to change things. At last an aroused people thought it time to take part in the game of politics, and they did so, to a purpose. Not one class—all classes—rich and poor, Jew and Gentile, brown-stone mansions and two-story houses, men and women alike—our whole citizenship became inspired in the great battle for civic righteousness: all felt that there must be a change, that we had suffered long enough.

We are to-day confronted by an entirely new situation. The statement was made by me during the cam-

paign, and it has been emphasized since our great victory, that the *merit system* will hold sway in Philadelphia while I am Mayor.

How can we accomplish good results in municipal administration unless we adopt sound business methods? The Pennsylvania Railroad never employs an engineer because he is a Republican or a Democrat; he is selected because of his efficiency and is the man fit for the place. To do otherwise would be ruinous. And so, under this administration, only competent men, under Civil Service rule, will be appointed to take care of the affairs of the City of Philadelphia.

Conditions in our city have been indescribably absurd. Take the Police Department. In many instances policemen were not selected because of their physical constitution, their general qualification, or because they knew when to use and when not to use their clubs, but mainly because they could be and were willing to be of political service. We have for years suffered from the police force in politics. Under my administration—I say it with emphasis—the police will be absolutely taken out of politics. They will be expected to secure life, limb and property, and after fulfilling their sworn duties they will be their own masters and no longer political slaves. They will also be permitted to take their full wages home to their wives and children without paying tribute to any political boss or party.

There appears to be a new feeling among the police of this city. Some of them have told me, and others have let it be known through their friends, that they at last feel like free men, like American citizens, while a few weeks ago they were slaves to a pernicious system that stifled manhood and degraded citizenship. They will remain free as long as I am Mayor.

I did not come here to make a speech, for I have been employed industriously for the past ten days in many directions, and largely in repelling the assaults of office-seekers. If it were generally known that nearly all appointments must be made under the merit system, I would be saved many hours of trouble and turmoil and sleepless nights. It seems that the idea is cherished in some quarters that, as I have been in office ten days, I should have

discharged ten thousand officeholders and put in ten thousand new ones. It is the bane of one's life.

As it becomes known, more and more, that those applying for positions under the administration must undergo a Civil Service examination, the rush will cease.

We have as fine a Board of Civil Service Commissioners as can be found. The President of the Commission, Frank M. Riter, whom I see in the audience before me, and who is as "true blue" a Civil Service man as can be found; Peter Bolger, and Lewis H. VanDusen, my younger friend, challenge comparison with any similar board. All persons appearing before these Commissioners will meet equal treatment and justice, and merit will be an actuality and not a fancy.

Reform does pay, not only in the ethics of administration but also in dollars and cents. It may interest you to learn that for a number of years we in Philadelphia have paid for the removal of garbage five hundred and ten thousand dollars a year. In some European cities contractors pay for the privilege of collecting garbage. Soon after assuming office the new administration thought it advisable to put something akin to "civil service" into the collection of garbage. We advertised for new bids and the most wonderful results were shown to-day. A year ago the contract was let for \$510,000; to-day it has been awarded for \$278,500. Now, ladies and gentlemen, doesn't reform pay? We pay to-day a little more than one-half of what was paid a year ago. Other contracts will be scrutinized and good may follow.

It is my pleasant duty to welcome you on behalf of the City of Philadelphia. Those of you who passed the City Hall this evening must have noticed at the main entrances electric signs blazoning, in large letters, "WELCOME, CIVIL SERVICE REFORM LEAGUE." Would such a welcome have greeted you a year ago?

Welcome to Philadelphia, then, Civil Service Reform League! To all of you, members and friends of the cause from abroad, and men and women of the City of Philadelphia, a hearty welcome! May your deliberations give fresh life to the League, and may your discussions more firmly establish the value of the merit system as one of the mainstays of popular government.

## Partisan Politics in Municipal Government

HON. CHARLES J. BONAPARTE.

Civil service reform has been often called "new-fangled" and "un-American": like a very large majority of stock arguments, or substitutes for arguments, against the reform, this one has the merit of conspicuous untruth. From the foundation of our National Government in 1789 to the accession of General Jackson to the Presidency in 1829, a period of forty years, the vital principles of civil service reform were recognized as no less vital principles of good government and good political morals by all American parties and all American public men. During those forty years there were removed from office by the first six Presidents, in all, seventy-three public servants, on an average less than two per year; moreover, of these seventy-three, thirty-nine were removed by one President, Mr. Jefferson, who, however, always denied solemnly and strenuously that these removals were made for partisan reasons, and treated as an insult the charge that they had been thus caused. It is true that, owing to the very moderate size of the Federal service and the infrequency of vacancies, competitive examinations were not necessary to determine the qualifications of candidates; it is stated in Colonel T. L. McKenney's "Memoirs," quoted by Parton in his "Life of Andrew Jackson," that

"When a vacancy occurred in one of the departments, the chief of that department would enquire among his friends for a 'qualified' person to fill it."

In other words, vacancies in public employments were then filled, as they are and always have been in private employments, and with the same sole end in view, namely, the welfare of the employer, or, in other words, of the people of the United States.

Moreover, every successive President of the United States prior to General Jackson, and virtually all of the leading public men of those days, particularly such men

as Calhoun, Clay and Webster, condemned both the doctrines and the practices of those we call "spoilsmen" in the clearest and most emphatic language, and for precisely the same reasons which are now alleged by civil service reformers. If anything is old in American political life, it is the doctrine that "public office is a public trust"; if anything is notoriously a foreign importation or a novel invention it is the doctrine that "to the victors belong the spoils," or, in other words, that the holders of a great administrative office, say, for the sake of illustration, the Mayor of a city like Baltimore, does his duty and complies with his oath when he quarters his "friends," personal or political, on the taxpayers for support. Compare with the discreditable sophistry which seeks to justify such official conduct the plain words of Washington. He says in one of his letters:

"My friend I receive with cordial welcome. He is welcome to my house and welcome to my heart; but with all his good qualities he is not a man of business. His opponent with all his politics so hostile to me, is a man of business. My private feelings have nothing to do in the case. I am not George Washington, but President of the United States. As George Washington I would do this man any kindness in my power—as President of the United States I can do nothing."

Just how many persons President Jackson dismissed in the first year of his first term is matter of dispute. His friend and apologist, Senator Benton, gives the number at 690, but by others it has been put as high as 2000. He completely disorganized the public service for the moment and gravely demoralized our politics from that day until this; before the Civil War, however, the functions of the National Government were so circumscribed and the proportions of the Federal service were so modest that the evils flowing directly from his bad example could be endured. These evils grew intolerable when Mr. Lincoln was compelled to improvise a huge civil service to do the vast work of military and financial administration incident to the support of a great army and navy and the conduct of a protracted war over an immense

territory. He doubtless did the best he could to meet these difficulties according to the essentially faulty principles of administration and politics which had been inherited from the days of Jackson, but no one can even guess at figures which would truthfully show the enormous waste of national resources, the inefficiency of administration and the consequent obstacles to prompt military success which can be traced to the application of "spoils" principles during the war. After its close, the gross abuses and scandals of the periods of reconstruction and transcontinental expansion which followed, the "carpet-baggers" and the "whiskey ring," and the "salary grab" and the "Credit Mobilier," and finally the murder of a President by a chronic office-seeker, crazed by "spoils" sophistries, produced a salutary reaction. The Federal Government gradually returned to the principles and practices of its earlier and better days, taught by a costly and painful experience, that there is no rational hope for an honest and capable public service, for an economical administration or for a lightening of the taxpayers' burdens, while public offices are used to pay political debts or to provide support at public cost for friends or dependents of influential politicians.

This is no less true of our state and municipal governments than at Washington. The last General Assembly of Maryland could hardly be said with truth to love civil service reform; indeed, if we may judge of the sentiments of that illustrious body from its acts and from the language of its members, it had about as much liking for the reform as a tramp has for a bath or the Devil for Holy Water. Nevertheless, it did something, even much, to commend our cause to the favor of good citizens and honest men. Some years ago two men, one very large and apparently robust, the other very small and puny, were hired to parade the streets of Baltimore, the first carrying a placard which read: "I use Juniper Tar," the second adorned with a similar appendage, reading "I don't." Now I am sorry to say I know of no legislative body in America which can be appropriately labeled: "We believe in and practise the merit system"; but, if such a body can be found, I claim confidently for the last General

Assembly of Maryland the right to accompany it, bearing proudly the legend: "We don't." When the two houses convened at Annapolis in January, 1910, there had been some talk of "economy" and "retrenchment" in their contingent expenses, and, in truth, the condition of the State's finances, but lately so flourishing, rendered this talk both relevant and timely. It quickly appeared, however, that our Lycurguses were in no mood to listen graciously to these suggestions: they proceeded promptly to rival and even surpass the notable exploits of their recent predecessors in billeting on the taxpayers a horde of personal dependents or political hangers-on as useless employees for whom even names couldn't often be found. The number of the employees thus appointed has grown rapidly from session to session, so that in 1908 there were about five and a half times as many as in 1884, and far more than were employed in such great States as New York, Pennsylvania, Ohio, Illinois or Texas. This is precisely what happens whenever the "spoils" system is in force: if places are filled through "pull" or "influence" and used to pay political debts or support poor relatives or seedy friends of politicians, places will be multiplied to the limit of public endurance that they may be so filled and so used; make it impossible to use them for such purposes by requiring them to be filled through merit determined by fair competition, and the "pressure" to create them becomes imperceptible. Were the employees of our Maryland Legislature chosen through competitive examinations (and positions with the like duties can be and are most satisfactorily thus filled), our statesmen would find out that they could do all of their law making just as well as they do this now with the help of perhaps one in six of those now paid: we should not be compelled then to maintain a temporary alms house at Annapolis during three months of every second year, for the benefit of incapables with "claims" on politicians of the dominant party or to pay one man or women to do our work and four or five others to look on and do nothing, or, at all events, nothing either useful or creditable.

Some years ago, during a very warmly contested municipal campaign in my native city, the Baltimore Re-

form League submitted the following query to each of the two leading candidates:

"Do you think it right that public office or employment should be conferred by a Mayor in recognition of services rendered by the appointee in securing his nomination or election? If you do, will you confer office or employment for this reason in case of your own election?"

The one afterwards elected replied as follows:

"I think that under our system of government, which is known as party government, services to the party should be recognized in making appointments, although the primary consideration in all cases should be character and fitness."

This answer had certainly the great merit of entire frankness; no voter could complain, with reason, that he was ignorant as to the candidate's opinions and intentions regarding the subject discussed; and it must be added, in fairness, that these appear to have been substantially identical with the avowed opinions and intentions of his principal competitor, since the latter wrote:

"I have no hesitation \* \* \* in stating that in making \* \* \* appointments, preference would be given to those of my political faith where qualified."

The sentiments thus expressed forcibly suggest, however, two very interesting queries, namely:

I. Is "Party Government" in municipal affairs "our system of government," in the sense of being a salutary and legitimate system of City Government?

II. Does the existence of "Party Government" require that "services to the party should be recognized in making appointments" to municipal public offices?

To answer these queries satisfactorily, we must first remove certain possible sources of confusion in thought. In speaking of "Party Government" the candidate first quoted had not and was not understood as having in mind government by a party formed of inhabitants of Baltimore only and dealing with proper local issues, as, for example, sewerage or telephone contracts. He meant by "Party Government" government of the city by one or the other of the great national parties; the test of fit-



ness was to be what the person suggested might think or profess to think about the currency or the tariff, the Philippines or the trusts; what he should think or say about public schools, new pavements, filtration, city loans or city taxes would neither help nor harm him. Is then "Party Government," meaning government by a national political party, the best, or even a good, form of government for a great public municipal corporation, such as the city of Baltimore? I do not propose to discuss this question, because it has been too often and too thoroughly discussed already to justify my doing so: I will merely call a witness, whose competency as an expert will hardly be questioned, to speak on the subject. In the late Dorman B. Eaton's work on "The Government of Municipalities," he says:

"There are in the United States three separate spheres of government,—national, state and municipal. Though by no means independent of each other, yet each of these spheres requires under our constitutional system separate laws, elections, officers and Courts, especially adapted to its own affairs \* \* \*. It is an important part of the constitutional purpose in providing for those local jurisdictions \* \* \* that the officers whom the local voters are authorized to select should not only be their free choice,—free, especially, from central and party constraint,—but that these officers, after their election, should continue to be free to carry forward the local administration in the interest of the jurisdictions which they were selected to serve \* \* \* for political parties to invade the freedom of this Home Rule—to enforce party tests therein—is to make war upon our American constitutional system and to commit treason against its spirit and purpose \* \* \*. So far as municipalities are concerned, both national and state parties and their managers, conspiring together, constantly insist on their party tests and policy being accepted and enforced by the officers and party organizations of our cities and villages, in flagrant disregard of municipal interests and true Home Rule. These con-

spiring parties and their leaders do their utmost to compel municipal voters and candidates to accept their platforms, to conform to their demands, to contribute to their treasury, to electioneer for their candidates. They exert all their powers in rebellion against the decentralizing policy of American constitutions, and do their utmost to defeat the main purposes in providing for municipal self-government at all. A real liberty of making a free choice between various municipal policies and candidates, in paramount reference to municipal interests, rarely exists in an American City."

Now is this vicious and mischievous system of misgovernment "our" system of municipal government, not in the sense that it is a widely prevalent abuse which all good citizens should do all they can to remove, but in the sense that it is in harmony with the essential principles of American public policy and American law? Here again, I will let Mr. Eaton speak for me. He says:

"Party government in cities begins in party warfare on our constitutional system, and is carried on by usurpation, prostitution and coercion. Yet so blinding is party spirit that vast numbers of active party men—worthy and patriotic as they generally are, support this usurpation and prostitution in apparent unconsciousness of their sources and disastrous effects, and without any apparent sense of their own guilty infidelity to the constitutional policy of their country."

In other words, practical experience has shown, what reason would lead us to expect, namely, that national political parties are unfit agencies to secure good government for municipalities; and I may add that, in the words of Mr. Eaton:

"City party government \* \* \* is an obvious and utter repudiation of the fundamental theory of civil service reform, which, disregarding mere party opinions and favoritism, puts men into office solely by reason of their superior merit."

Let us concede, however, that, *argumenti gratia*, national parties may properly and usefully intervene in

municipal politics, and control nominations for elective municipal offices: does it follow that only members of the successful party should be held eligible for appointment by a Mayor thus chosen to positions which it is his duty to fill? "Every office," says the Court of Appeals of my own State, "created either by the Constitution or by the laws authorized by that instrument is a public trust created for the public benefit." Is it true that public office is conferred with a view *only* to the public good when an arbitrary rule is adopted by the conferring power which reduces by one-half the number of those eligible for appointment? Is an office really administered as "a public trust for the public benefit," when the officer who fills it says he will needlessly make it twice as hard as it otherwise might be for him to choose fit subordinates? If a Mayor should announce that he would appoint no one who was bald or wore spectacles because such men differed from himself this would seem to the least exacting trifling with the duties of his office and the obligation of his oath: does he give any better reason for refusing to appoint a fit man as city librarian or city engineer merely because in choosing a President the latter voted one way and he another in 1908, and each will probably vote the same way in 1912 as in 1908.

We may appeal to a higher authority than Mr. Eaton to confirm his words as to the evil and danger of partisan prejudice. In the Farewell Address, its great author speaks as follows, referring, be it remembered, to national parties in their legitimate sphere of action:

"Let me warn you in the most solemn manner, against the baneful effects of the spirit of party. This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes, in all Governments, more or less stifled, controlled or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy \* \* \*. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into flame."

And now, however politicians may blind themselves

to this truth, it is a truth too plain for denial that the people are tired and sick and disgusted with purely partisan politics in the United States of today. They long for public men who will break with their sordid political habits and traditions: when one such appears, or seems to have appeared, he is greeted and followed, at least for a time, with an enthusiasm almost pathetic when one remembers our many disappointments. It pays, pays in votes, pays in political success, pays in the attainment of all those ends for which parties exist, for a party and its leaders to show, even to affect, superiority to mere partisanship. Probably every worthy Mayor of a great City wishes to strengthen his own party: if such be his wish, I advise him to prove himself, whatever else he may be, a civil service reform Mayor.

## Address

HONORABLE ANDREW J. PETERS.

The principles of civil service reform are fixed now so firmly as a part of the administrative machinery of our government that agitation in their behalf may seem to some uncalled for. To maintain public confidence in the system the work which it has accomplished should be understood and the need of its further development appreciated. Meetings like this one inform the public and are most important aids in the League's work.

The aims of civil service reform have been so generally distorted by its enemies that an association for correctly informing the public of its uses and aims is a movement the benefit of which cannot be questioned. Such a League serves the purpose not only as a check on officers who lean towards a disregard of the law, but is of the greatest assistance in aiding and suggesting the most successful methods of carrying out the system, and renders assistance to the commissions both of the states and the national government. All our citizens interested in this movement ought to freely support the League and attend its meetings.

George William Curtis, Thomas Allen Jenckes, Carl Schurz and Dorman B. Eaton placed the civil service reform movement on the solid foundation of public confidence. That it is kept there to-day is due in no small measure to the support of this League and the untiring efforts of its Secretary, Mr. Elliot H. Goodwin.

The history of the appointments in our country shows the standards of the times. The development of the "spoils" system followed some years later in this country the creation of political parties and flourished most at the darkest period of our political morality. Thomas Jefferson, though elected after a contest as vigorous and bitter as any we could have experienced today, when his election was over made practically no changes for political purposes. During his two terms as President only

thirty-nine removals were made by him. In the administrations of Madison, of Monroe and of John Quincy Adams there were in all but fifteen removals, and a committee of the House of Representatives, after an investigation, reported that not a single man had been removed on account of his political views.

Jackson, as is known, commenced the system of appointment for political purposes. Vindictive from the bitter feelings of a political campaign he inaugurated the system of removals for partisan reasons. Treatment of office holders in this way by one administration brought reprisals by the next, and the concentration of the public interest in the issues connected with the Civil War gave little room for public attention to other matters. In the last forty years, however, an improved public sentiment has supported the efforts of those who wish to substitute the merit for the spoils system, and the fruits of this higher public standard are shown in the civil service system as it exists today.

A more general understanding by the people of the system as it now exists will strengthen the public support of the civil service; a support needed to develop and enlarge its work as the functions of our national and state governments are developed and extended. It is not so many years in the past, however, since those who were then working for a merit system for civil service had to contend not only with the lack of public confidence in the administration of the civil service laws, but with a widespread opposition against the very idea of civil service reform as well, and some of this opposition was expressed in no uncertain terms. In looking through some Congressional debates which took place in the early stages of the movement for the establishment of the merit system I find two or three short statements which have an interest, in that they rather summarize the objections of the time and portray the point of view of those who at that period were stubbornly fighting against the adoption of this system, objections which do not today appear as material considerations in the work of this organization.

One Representative (according to the Congressional Record) defended the old system with these words:

"I, for one, boldly and unequivocally denounce this bill (a bill providing that certain appointments in the several departments shall be made from persons in open and competitive examinations) as a *speculative* and *Utopian* humbug."

Another gentleman in the discussion of the same bill said:

"In the first place I look upon it (the bill) as an attempt to establish an aristocracy of officeholders, and to follow in the lead of the Governments of Europe, disregarding the voice of the people who are instrumental in putting the men in power who control the public offices."

And in a later debate there appeared, evidently for local consumption:

"When the time comes in this country that I must abandon my friends in order to uphold an obnoxious law, with me it will be a parting of the ways. You may stand by the law if you will, but I prefer to stand by the friends who have stood by me."

Today the civil service commission has brought under the classified service practically all positions possible under the existing statutes. Moreover, the statutes already enacted are sufficiently broad to include, with comparatively few exceptions, all the officers of the federal government connected with the executive that can be brought under the classified service to the best advantage. In other words, the work of the extension of the classified service is about completed except, of course, as new demands arise for additional employees in the federal government.

I take it that it is safe to say that the great work that is still to be accomplished is the perfection of the present system and more particularly the consequential but no less important result of gaining for the present system an unshaken public confidence. I believe that it has been the experience of all public men to find that many of those with whom they have come in contact, who were seeking an appointment under the civil service, hold the idea that their final success or failure will depend largely upon the political influence which they may be able to bring to bear on those with whom rest such discretionary power as the law allows. This state of affairs is in no small part the

result of tradition—the stories of the times when such conditions of favoritism *did* exist; it is also due to the unfortunate willingness of certain people in public office to let the impression remain that they have granted a favor while in fact they have been of little or no real assistance, and the applicant has himself alone to thank for his appointment.

The activities of our central government have in recent years been extended to a marked degree, and the appropriations made necessary to carry them on have been increased in proportions truly alarming. The last Congress appropriated the huge sum of \$1,025,489,661.54, including \$4,000,000 for the Appalachian Forest Reserve, and in the last six years Congress has appropriated \$5,895,594,867.87, which though huge in itself represents reductions of \$164,620,278.97 from the estimates submitted by the governmental departments in the four years ending with the fiscal year 1910. The handling of these huge expenditures by the Government entails the employment of enormous numbers of employes, and makes more necessary than ever that such employes should be kept free from the pernicious influences of political appointments. The possibilities of a political machine founded on such vast resources are too dangerous to contemplate. The last report of the civil service commission shows, under the figures for June 30, 1910, that the employes in federal service number 513,854, in which the following division appears:

<i>Executive Civil Service</i> (includes those who are generally understood as comprising "civil service").....	384,088
Made up of the following divisions:	
Competitive positions .....	222,278
Excepted and non-competitive.....	59,202
Unclassified positions .....	64,892
Presidential positions .....	9,525
Digging force on Isthmus.....	28,191
<i>Legislative</i> .....	2,599
<i>Judicial</i> .....	4,399
<i>Military</i> (officers and enlisted men).....	....
<i>Naval</i> (officers and enlisted men).....	40,832
<i>Diplomatic and Consular</i> .....	1,415



# Appointments made by President

With advice and consent of Senate (of which 7,953 in Post Office).....	9,846
Without confirmation of Senate (of which 846 Judicial).....	993

The growth of the Executive Civil Service is shown by comparative dates and figures:

In 1816 there were	6,327
" 1871      "      "	53,917
" 1899      "      "	208,315
" 1909      "      "	370,065

The extension of the merit system has been no less rapid in the states and cities than in the federal government. In 1910 six states and 217 cities had extended to its people the protection of the merit system.

No plainer criticism of the old "spoils" system can be pointed out and no plainer lesson in economy of government could be given than the present Congress showed at its commencement. Congress has unrestricted control of the appointment of the clerks and officers employed at the Capitol. There had grown up a system of appointments by members of Congress to these offices about the Capitol, and there had been from Congress to Congress a steady increase of their number, and though the Democrats in Congress criticized this the majority party laughed at such criticism and made a prophecy that should the minority ever control, it would continue the same offices. As soon as the Democratic Congress met, however, a Committee was chosen to investigate the situation, and the successful work of that Committee is largely due to the efficient efforts of Hon. A. Mitchell Palmer, one of the Representatives from Pennsylvania. Following out the recommendations of the Committee the new Congress abolished immediately the Committees on Pacific Railroads, Manufactures, Militia, Private Land Claims, Levees and Improvements of the Mississippi River, Ventilation and Acoustics. These Committees recommended practically no legislation, and the saving effected in salaries amounted to \$6,000. Another abuse which had grown up was the payment to all employes of the Capitol of an extra month's salary at the close of each session. The employes, a large number of whom were

given six months' vacations, as many were not needed while Congress was not in session, had in addition one month's pay as a pure gratuity. It was estimated there was saved by this economy \$101,735.26. It was also discovered that seventy-three policemen, at salaries aggregating \$78,150 per annum, had been required to guard the Capitol and its immediate surroundings. This force it was proposed to cut in two, with an estimated saving of \$39,000. It was also proposed to do away with numbers of other positions connected with the House, too numerous to mention, which would result in a net saving of \$82,010. The necessity of some of these positions may be judged when it was ascertained that one of them was held by a young woman, as assistant to the doorkeeper, who at the time of her appointment had reached the mature age of fifteen years, and two telegraph operators, whose duties were to send messages over the special wires between the Capitol and the Departments, wires unused since the advent of the telephone. The recommendations of this Committee as carried out by Congress have accomplished a net saving of \$229,444.26 in the expenses of the Capitol for which the House is responsible, or between twenty and twenty-five per cent. of the whole expense, and show both the advantage of economy and the evils of extravagance bred by the old system.

Civil service reform was first applied by the government of England, and the real significance of this movement can be no more clearly appreciated than by observing its history in that country. The successful struggle to wrest one privilege after another from the hands of the few has marked the history of England, and no reform has been fought more stubbornly than the taking from the upper classes of the power of appointment of public officials. In the last victory William E. Gladstone and John E. Bright took this remaining privilege from the upper classes and gave it to the people. In speaking of this reform Mr. Gladstone said:

"We have now been enabled to remove the barriers of nomination, patronage, jobbing, favoritism in whatever form; and every man belonging to the people of England if he so pleases to fit his children for the position of competing for places in the public

service, may do it entirely irrespective of the question, What is his position in life or the amount of means with which he may happen to be or not to be blessed?"

These words are no less true of the situation of the civil service in this country. The offices of the United States Government belong not to a favored few, to be parcelled out by the leaders of one party or another, but to the people as a whole, and to those offices everyone should have an equal right.

Political equality and civic rights attained through years of struggle have brought with them civic responsibilities as well, and to preserve our institutions these responsibilities must be assumed and carried out. A democratic government cannot exist by itself and the proper function of the government and their development depends on the active interests of all the people of the country. Upon the quality of that citizenship the strength of our government will depend. The standards of our government can never rise above the aims and ideals on which it rests. Changes in our laws, whether for purposes of purity or party, or the latter under the guise of the former, may affect for a limited time the situation about us. A permanent change in those conditions can be effected only by the people themselves. New problems are confronting us. Mere faith in the conditions of our government and the confidence of our people in it is not sufficient. Our citizens must take an active, intelligent interest in our government and its issues.

Civil service reform stands to-day not as a theory but as a practical plan to secure the best workers and most efficient servants for our government and to secure for the people of our government equal chances, one with the other, to enter its employ. The cardinal principle of our government is equal opportunity for all, and it is this equality of opportunity that civil service reform seeks to guarantee to our citizens. To support and extend the work of this League it must have the active interest and confidence of the public. That it has this interest this crowded meeting here to-night gives ample evidence. That this interest should continue unabated is for the best interest of our people, as it is the surest safeguard to strengthen and protect their rights.

## Report of the Special Committee on Superannuation

The Special Committee on Superannuation presents herewith its report to the Council of the National Civil Service Reform League.

"In the view of the committee," to quote from its report made in December, 1909, "the removal of the evil of superannuation from the civil service of the United States should be discussed and considered as but a part of a comprehensive and well thought out plan to bring the entire civil service of the government up to the most efficient standard practicable. The justification for any system of pensions or retiring allowances to civil employees of the government must be found in the resulting improvement in their efficiency while in the government's service. To put the same thought in another form, if the question be asked, When a person in the civil service of the government is separated therefrom without fault on his part, should provision be made for his support thereafter, in whole or in part, by the government or under its supervision? the answer must be an emphatic negative, except in so far as it can be shown that there is a resulting increase in the efficiency of the government's civil service." . . . "The government's business, like all business, is necessarily conducted by human beings. To be conducted successfully, its rewards must appeal to the motives which impel able men to put forth their best efforts. The opportunity for a stable career and the assurance of a pecuniary return which will meet the demands of a reasonable standard of living in view of the position held and the service rendered and will remove the fear of dependence upon others, when advancing years have diminished, or it may be, altogether destroyed the capacity for work, are the inducements which our great business corporations have been finding it more and more necessary to hold out, if they wish to attain large success. The government must offer the same in-

duancements, if it would secure the same grade of service."

. . . "The unambitious, the timid, the mediocre, once in the government's employ are reasonably sure to remain until forced out; but it is increasingly difficult to retain in the government's administrative service competent men of initiative and force. Meanwhile the demand for the undertaking by the government of new administrative tasks is constantly more insistent and there is a never-ceasing growth of its administrative departments already established. There is a supreme need of organizing the civil service of the government upon a sound and lasting business basis, if it is to meet adequately not merely the needs of the present but the still greater future needs which even now can be plainly foreseen."

. . . "Until recently, the various civil pension systems, which have been proposed as furnishing a remedy, have each, when analyzed, been open to such grave objections that they have met with deserved disapproval. Of late, however, those interested in securing retiring pensions for the civil employees of the United States have been more and more recognizing that the main purpose of a civil pension system is not to provide pensions, but to improve the efficiency of the civil service by means of pensions, not to create a large body of dependents supported at the public charge, but to enable, under government supervision and care, the efficient members of its administrative staff to make, mainly at their own expense, sensible provisions for their old age; not to foster retention of the mediocre till the retiring age, but to strengthen the beneficent effect of the Merit System by furnishing additional motives for industrious and able men in the government's employ to remain there; not to hinder but to accelerate the removal of the lazy or the indifferently good among the civil servants; in a word, to vitalize and energize the civil administration of the government by raising the general standard of efficiency. With such a purpose the National Civil Service Reform League is in hearty accord. To appoint and retain the fit and promptly to get rid of the unfit is the object which the merit system seeks to accomplish." . . .

"The principles that should control in the establish-

ment of a system of retiring annuities for the civil employees of the United States are these:

"The annuities should be based principally upon compulsory contributions from the employee's salary which invested, by or under the supervision of the government, at a reasonable rate of interest compounded annually, will be sufficient to provide the annuity;

"The safety of the employee's savings and the reasonable rate of interest should be guaranteed by the government. Beyond this, the public treasury should be put to no considerable expense other than may be necessary or proper to establish the system and maintain its stability;

"An individual and separate account should be kept of the contributions of each employee. In case of his voluntary separation from the service before the age of retirement, these should be repaid to him either without interest or with simple interest at a low fixed rate.

"There are many and very important details but a system based upon and consistently applying these principles

"Will put no employee to expense for the benefit of other employees;

"Will make easy the retirement of the superannuated, for it provides for their support after separation from the service;

"Will tend to retain the energetic and competent, for it assures a sufficient compensation for long and faithful service;

"Will not tend to create any property right in the employee to his position and, on the contrary, will accelerate the dismissal of the lazy and the indifferently good, for on his separation from the service he will take with him all of his contributions.

"In order to establish this system successfully, the government should make such reasonable provision, at the cost of the public treasury, as, after due investigation shall seem just, in order to put the employees already in the service when the system is enacted into law on an ap-

proximate parity with those entering the government's employ thereafter.

"Under such a system as has been here briefly outlined no person who enters the civil employment of the United States will have any assurance of tenure without rendering faithful and efficient service and will feel certain of a modest pecuniary independence in his old age as the fairly earned reward of his own well directed efforts in the public interest."

During the two years since the committee's report in December, 1909, there has been no cessation of agitation both in and outside of the National Congress for some provision for the old age of the government's civil employees, who after many years in the public service are no longer efficient. Much profitable and informing discussion has brought appreciably nearer the possibility of a solution, at once business-like and humane, of the difficulties involved. There is now a wide-spread and influential public opinion that, so far as new entrants into the public service are concerned, a satisfactory system embodying the principles set forth in the Committee's report could be devised which would rest upon a sound actuarial basis, make adequate provision for the superannuated, and, by tending to retain the energetic and competent, while accelerating the dismissal of the lazy and indifferently good, would promote the efficiency of the government's civil service.

It has been claimed that the compensation now attached to many positions in the civil service is so small that to compel sufficient contributions from it in order to make provision for the future old age of their incumbents would inflict grave privations and often positive suffering. If this be true, and insofar as it may, upon impartial investigation, be found to be true, it is self-evident that as to such underpaid civil servants of the government compulsory provision for their old age out of their insufficient salaries would be an act of oppression which would prevent competent persons from taking or retaining such positions in the public service. It is entirely fallacious, however, to argue that the remedy for

this unfortunate situation is to be found in continuing the present inadequate pay and, when the ill-paid employee has at last become superannuated, presenting him with a pension as a gratuity. To make the underpayment of civil servants an argument for pensioning them, if they survive to old age, is curiously distorted reasoning.

If the government employee is paid a proper and adequate compensation for the services he performs it is not unreasonable to compel him to set aside such portion of it, as any prudent man would, in order to provide for his old age. If the compensation he receives is too small to admit of this, the remedy is not to pension him at public expense but to pay a proper and adequate compensation for his services at the time that he renders them. If government employees receive such compensation there can be no valid reason why they should be erected into a special class to be supported in old age at the public cost. On the other hand, if the employee receives inadequate compensation for his services as they are rendered, to attempt to supply the deficiency by pensioning him when superannuated is not only unjust to the employee but it is economically wasteful, politically demoralizing and detrimental to the efficiency of the public service.

A retiring pension provided in whole or in part as a reward for services inadequately paid for at the time they are rendered is inevitably regarded as merely the deferred payment of moneys already earned. This works a double injustice; for it helps to make and keep the pay for current work inadequate and it prevents the employee from ever receiving the deferred portion of his compensation if he dies before superannuation. It is equally unfair to the public, for it has been shown by experience that each year an employee remains in the service with a portion of his pay held back until he shall reach the age of superannuation is an added obstacle to his discharge though his work may have sensibly deteriorated. It would be far better from every point of view for the government to pay adequately and contemporaneously for the services as rendered than to weaken the discipline and impair the efficiency of the public service by deferring the



payment of any portion of the earnings of its employees on the promise that if they desired to remain and did not die before they reached the age of superannuation they would thereafter be pensioned.

Your Committee is unreservedly in favor of the following propositions:

Each employee in the civil service of the government should receive proper and adequate compensation for his services *at the time the services are rendered*;

If the salaries of the government's civil employees are adequate, as compared with salaries for similar employment outside the public service, so that the employees can properly be expected, as ordinarily prudent men, to lay by a sufficient amount year by year to provide for their own old age, it is no hardship that the government should compel them to make such provision; and it is neither reasonable, nor does it tend towards personal thrift and economy, for the government to add to such salary a pension for life, at great expense to the taxpayers.

Whenever the salaries or compensation of the government's employees as now fixed are not sufficient to enable them to maintain the standard of living to which their positions entitle them, the necessary advances in salary or compensation should be made.

If these principles be embodied in practice, there can be no legitimate objection to the compulsory contribution by a government employee each year of such a percentage of his salary as, at a reasonable rate of interest compounded annually, will provide him a sufficient annuity at the age of retirement.

The chief obstacle to inaugurating a proper retirement system for the government's civil servants continues to be the difficulty of agreeing upon some sound and sensible provision for the old age of its present employees. Of these, some have been in the government service but a short time, others are already superannuated or are within a few years of superannuation; and between these two classes is a vast multitude who have served for varying

lengths of term. It is manifest that those already at the retiring age, or measurable near it, could not contribute from their salaries a sum which by any device would provide an adequate retiring annuity. And though those having a considerable period of service still before them could make annual contributions from their salaries which would appreciably aid in providing an annuity, such contributions, except in the case of the younger employees, would be made for too small a number of years to insure suitable provision for their old age. Clearly, a satisfactory system of retiring annuities for the present civil employees of the government is impracticable, if it is to rest, wholly or mainly, upon compulsory contributions from their salaries during their remaining years of active service. The position of the League has been that the proper grading and classification of the government's civil service and the installation of such a system of retiring annuities as has been outlined earlier in this report would so increase administrative efficiency as to justify any reasonable expenditure that upon due investigation might be found necessary in order to place those already in the service when the system is inaugurated on an approximate parity with those entering the government's employ thereafter. In the view of your Committee such an investigation would show that there are no insuperable obstacles.

One suggestion recently made comes from so influential a quarter that it deserves a few words of comment. It has been proposed that the retiring allowances of all present employees so far as they cannot be provided for by their own compulsory savings be met by devoting a part of the salaries attached to the positions held by superannuated employees to pensioning them and using the rest to hire younger and more vigorous men to do the work now not done, or only in part done, by the superannuated. It is urged that adequate retiring allowances for all present employees could be provided by this method without any expense to the treasury beyond the present outlays. To take a simple illustration, it is quite possible that the \$2700, for instance, now appropriated as the annual salary of a given position could pension the

present feeble incumbent at \$900 a year and hire two young clerks at \$900 a year each. But would not this mean, not merely that the duties attached to the position the aged pensioner had been nominally filling had not been performed, but that the position itself was superfluous and should be abolished? Certainly no one would seriously claim that freshly appointed \$900 a year clerks, however diligent and willing, would be competent to perform the duties that *ought* to pertain to the more highly paid positions. Such a method of getting rid of superannuation, it seems to the committee, would not have been thought of, and it would not be tolerated in any well organized administrative service where one could advance grade by grade to the higher positions. In any such service, the suggestion that the aged incumbent of one of these higher positions should be removed and some young clerks assigned to the duties of his position during the remainder of his life would be inconceivable. And when one considers that it will be forty or fifty years before the last of the present employees of the government will become superannuated the demoralization of the service that would result from practicing such a method during so long a period would seem to defy description.

If, however, duties of a responsible and important character are still performed in any part by the superannuated employee they must, in the event of his retirement, fall wholly upon his subordinates and the injustice which now imposes part of these duties upon them without corresponding recognition in salary will continue in an aggravated form. It is certain that the newly appointed \$900 a year clerks can not perform these duties. Furthermore, the immediate subordinates, in order to find time for their performance, will unload a still larger portion of their own proper duties upon their subordinates and so on down the line. In short, the subordinates of the retired employee will have been promoted to the work and responsibility, but not to the salary of his position. This means that, so long as there shall remain in the service any of the present employees, the already existing evil of unlike salary for like work, pointed out by

the Keep Committee, will constantly be augmented and that the superannuated employee will be furnished with a pension at the expense of his subordinates, among whom will be divided his work and responsibility, but not his salary.

Of the various pension or retirement bills introduced in the last Congress none was enacted into law and only one was reported out of Committee. This was the so-called Gillett bill which in many respects was based upon the principles advocated by the League. One of the features of the Gillett bill, however, was an attempt to create out of compulsory contributions from the employees' salaries a special fund as an insurance in case of permanent disability from accident or sickness. In the opinion of your committee, this is altogether wrong and, since it may be taken for granted that this subject will be before the present Congress for consideration and, possibly, for action, it is timely to announce clearly and definitely the position of the League.

The civil employee who has become superannuated after many years of service and one who, because of the conditions under which he is forced to work, is untimely cut off by death or is disabled by accident or sickness stand upon an altogether different footing. It is right that the old age of the former, if he be properly and adequately paid for the services he renders, should be provided for out of his own earnings. The payments to the latter or, in case of his death, to his estate should be made by his employer (in this case the government) and regarded as a part of the necessary expense incident to carrying on the business.

HORACE E. DEMING, *Chairman.*

## Report of the Special Committee on the Civil Service in Dependencies

Your Committee at the outset would call attention to the difficulty under which it labors in securing first-hand information in regard to the administration of the Civil Service Laws in the Philippines and Porto Rico, owing to their distance from the United States and to the inability of the League to conduct investigations for itself, which is due to the fact that our limited office force is fully engaged in the investigation of matters nearer home, and to the further fact that the present financial resources of the League do not justify the expenditure that would be involved in such investigations. In securing data, however, we have had the cordial co-operation of President Taft, the Bureau of Insular Affairs in the War Department, and the Civil Service Commissions in the Philippines and in Porto Rico.

The favorable attitude of the present administration in Washington regarding the fundamental importance of Civil Service Reform in the administration of our dependencies is unquestioned, and with this attitude the Bureau of Insular Affairs is in complete sympathy. President Taft's own point of view was made very clear at the time when, as President of the first Philippine Civil Service Commission, he insisted, soon after his arrival in the Philippines, upon the passage of an advanced and comprehensive Civil Service measure which became law on September 19, 1900. In the last report of this Committee, submitted to the League at its meeting in New York City in December, 1909, it was pointed out how, through the aid of the President, we had secured from the Governor-General of the Philippine Commission, reasons for certain amendments made to the law which appeared open to question. While the Committee is not convinced of the necessity for some of these changes, and particularly the modification in the requirements for competitive promotion examinations, it believes that beyond doubt the

principles of the merit system have been well observed throughout the entire period of our occupancy of the Islands, and that this fact has been mainly due to the emphasis laid upon its importance in the successful administration of dependencies by the first Philippine Commission.

The history of the merit system in Porto Rico since the Island first came under the dominion of the United States, presents a striking contrast to the policy pursued in the Philippines. The merit system was not made even a part, much less a cornerstone of the government of the Island, and the Organic Act passed in 1900 contained no reference to it. As early as 1900, this Committee took up the public advocacy of the passage of civil service laws, but found that American officials in the Island, generally speaking, while in principle in sympathy with the merit system, doubted the necessity, under existing conditions, for the enactment of comprehensive and stringent civil service laws, and expressed some fear that they would hamper the administration of the insular government in securing efficiency. Governor Beekman Winthrop, who had had full opportunity to observe the practical working of the merit system under the Philippine civil service law, did not share in these views, and it was principally due to his advocacy that a civil service law was enacted by the Porto Rican Legislature in 1907, which took effect on January 1, 1908. It was far, however, from being a comprehensive statute. It expressly excluded the insular police force, the school teachers and all municipal services in the Island, and contained a wholly unwarrantable prohibition upon the establishment of any regulation of promotions.

In this form, with such important omissions, Mr. Harry D. Coles, who was appointed Chairman of the first Civil Service Commission, found that the American department heads were not inclined to take the law very seriously, and were openly opposed to its administration. Proper enforcements of the law by Mr. Coles and by his successors, have been productive of some good results, and American officials have come to take a much more serious attitude regarding it. Attempts,

however, to secure its amendment by making it comprehensive, were defeated in the Council—the upper branch of the Legislature, which is made up of the heads of departments and a limited number of Porto Ricans—through the attitude of the American members, felt called upon to abandon their support of them.

The next step taken was the introduction of a bill into Congress known as the Olmsted Bill, to remedy the defects in the Porto Rican civil service law through amendments to the Organic Act under which the Island is governed, but unfortunately, this was not passed. The existing law also lacks a proper degree of elasticity, so that the Porto Rican Commission is not given the discretion necessary to deal with emergencies and peculiar situations that arise. The Porto Rican House of Delegates, in accordance with local feeling, easily understood, secured the insertion of provisions intended to limit appointments to native Porto Ricans and bona-fide residents of the Island. These provisions in particular cases, are distinctly opposed to the securing of the highest degree of efficiency.

In August, 1911, the Superintendent of Public Works in the Department of the Interior, appointed prior to the passage of the civil service law, resigned. The law made this position competitive, and gave no discretion to the Commission to make an exception in case competition was impracticable. Well-informed officials have expressed an impartial judgment that it was impossible to fill this position satisfactorily by competitive examination open to residents of the Island, and the restrictions in the civil service law made it impossible to fill it immediately by transfer from the United States or Philippine services. The insular Secretary of the Interior appointed without examination, Mr. T. Warren Allen, of Albany, N. Y., an engineer who had seen service in the Philippine Islands, and was at the time of his appointment, in the service of the state of New York. We have received information from thoroughly reliable sources, that Mr. Allen was by training and experience well fitted for the place. On October 12, 1911, the Attorney General of Porto Rico, Honorable Foster B. Brown, rendered an opinion to the Civil

Service Commission relative to the appointment of Mr. Allen, holding that under the Organic Act of 1900, the Commissioner of the Interior had the power to make the appointment without examination. This opinion went much further, however, in holding that the civil service law itself was invalid, insofar as it imposed restrictions directly upon one who possessed authority conferred upon him by the Organic Act which would tend to destroy or impair the exercise of such authority, or limit his discretion therein.

An organization known as the Society of Engineers of Porto Rico advocated the filling of this position by competitive examination, and formally requested the Civil Service Commission to hold an examination in accordance with the law and to take steps to prevent the payment of salary to Mr. Allen. These requests were denied by the Commission upon the ground that they were bound by the opinion of the Attorney General in the matter. Suit was then brought in the District Court by the Society, which resulted in the granting of an alternative writ of mandamus ordering the Commission to proceed with the examination and to take action for withholding the salary of Mr. Allen, or to show cause why they should not comply with this order on November 13th. A copy of the opinion of Attorney-General Brown came into the hands of the Secretary of the League on October 30, and was immediately referred by him to the League's Law Committee. That Committee reported that in its opinion, the contention of the Attorney-General that the civil service law of Porto Rico was invalid, was unsound, and drew up an opinion answering that of the Attorney-General, which was given to the Counsel of the Insular Bureau of the War Department on November 10. The Insular Bureau immediately took cognizance of this opinion and communicated with Porto Rican authorities. The situation, which appeared extremely threatening to the integrity of the Civil Service Law in Porto Rico, has entirely changed. The Civil Service Commission has ordered a competitive examination for the position of Superintendent of Public Works, to be held early in December, and has called upon the Auditor to



withhold the payment of salary to Mr. Allen, on the ground that he has been illegally appointed to this position. No further steps in the trial of the suit have therefore been taken. The auditor has refused to comply with the request of the Commission, upon the authority of the opinion of the Attorney-General, and the attitude previously taken by the Commission itself, but it is understood that if the examination results in an eligible list, an appointment will be made which will terminate the services of Mr. Allen as Superintendent, while if the examination fails to secure eligibles, Mr. Allen's appointment may be legally continued. The action of the League, therefore, in calling the matter to the attention of the Insular Bureau of the War Department, has resulted in reinstating the civil service law (such as it is) in full force and effect, and also, we are convinced, in impressing upon the Insular officials the importance which the present administration in Washington lays upon the merit system in the administration of dependencies.

This Committee believes it of fundamental importance, however, that a stringent and comprehensive civil service law should be made to apply in Porto Rico, either through action of Congress, or through amendment of existing law by the local Legislature, and recommends that efforts should be directed toward that end, with a view to providing an absolute guarantee against any possible exploitation of this dependency in the interests of any political party. In this connection, the recommendations of the Secretary of War, Honorable Henry L. Stimson, in his report just issued, are of great interest:

"Civil service in Porto Rico is therefore governed by an act of the Porto Rican Legislature, which has proved to be unworkable. A sound, vigorous civil-service from the beginning has been deemed a fundamental need in the successful administration of our insular possessions. Time has certainly not lessened the need. The head of the civil service in Porto Rico should be appointed by the President, so as not to be dependent for his position upon local influence. The rules of the civil service should be made by him, subject to the approval of the President.

The provision recommended by my predecessor in this regard was as follows :

"That there shall be appointed by the President a director of civil service, who shall be paid an annual salary of four thousand dollars; he shall reside in Porto Rico during his official incumbency, and shall maintain an office to be known as the Bureau of Civil Service; he shall prescribe rules governing the selection of all officers and employees of the several departments and bureaus of the Government of Porto Rico, except those appointed by the President and by the Governor of Porto Rico, by and with the advice and consent of the Senate; he shall prescribe rules governing promotions, transfers, reinstatements, reductions, removals, leaves of absence, political activity of employees, and for such other purposes as may be in the interest of the civil service. All rules prescribed by him shall be submitted through the governor to the executive department of the United States designated by the President, and when approved by the head of such department shall be binding upon all officers and employees in Porto Rico. He shall conduct such examinations as may be necessary, and perform such work as is required to carry into effect the rules which may be prescribed and approved; he shall aid the governor of Porto Rico as he may request in all matters affecting civil service; and he shall have power to employ such assistants and examiners and at such compensation as may be authorized by law."

I believe that this provision, if enacted, would satisfactorily meet the necessities of the Government of Porto Rico." (Pages 41-42)

"Briefly, I believe that at this time the urgent needs of Porto Rico, in so far as these needs require action by Congress, are: . . . Third. A rigorous civil-service law, applicable to all non-elective officials in Porto Rico not appointed by the President by and with the advice of the Senate." (Pages 45-46)

CLINTON ROGERS WOODRUFF, *Chairman.*

## Report of the Special Committee on Consular Reform

The reclamation of the foreign service of this country, consular and diplomatic, should be made the subject of a thorough and more or less extended report in the near future. The present report is intended to summarize the facts which have now become historic, and to show the general conditions under which these great branches of our government are working, and to prepare the way for a fuller report, after a study of the details and of the growth of the new system. Such a study is yet to be made, and will be made as soon as the small but very competent force in our secretary's office can give the necessary time to it.

The progress already achieved is marked by three notable events, which have been frequently reported and commented upon.

First, under President Roosevelt and Mr. Secretary Root, was the passage of the consular reorganization bill of April 5, 1906 (amended May 12, 1908) which classified, graded and regulated the consular service, and prepared the way for a proper system of appointments and promotions. This most signal achievement was the result of long years of effort, in which during the later stages the Chambers of Commerce and other commercial bodies of the country took the leading part, strongly supporting the President and the State Department, and supported by this League.

Quickly following, on June 27, 1906, came President Roosevelt's executive order (amended and improved in one important particular by President Taft, Dec. 23, 1910), containing regulations to govern the selection of consuls general and consuls in the civil service of the United States, subject always to the advice and consent of the senate. This created a system of appointment and promotion in the consular service based upon merit as ascertained by examinations, and went as far in the direc-

tion of establishing a complete merit system as was then thought to be practicable by the President and his most influential advisers. But the order embodied three features which are limitations upon a perfect merit system as worked out in other branches of the service: (1) The examinations are not open to the public, but limited to persons designated by the President; (2) The examinations are not competitive, but appointments can be made from the eligible list without regard to standing; and (3) the order preserves the rule that as to candidates of equal merit, appointments should be made so as to secure proportional representation of the states and territories in the consular service.

Nevertheless, this executive order provided for comprehensive and searching examinations for entrance into the lower grades of the service, and expressly excluded all considerations of political affiliations, and it required that promotions should be made only for efficiency demonstrated in the service. Thus it marked a great advance upon previous conditions. The process of reclamation thus started under President Roosevelt is one of the most beneficent achievements of his administration. Immediately, the vitalizing and purifying waters of the merit system began to work their way into our foreign service, which had been reduced into somewhat the condition of a barren desert by the devastation of spoil seeking politicians.

In the first year of President's Taft's administration, on Nov. 26, 1909, came the third great step in advance in his executive order governing appointments and promotions in the diplomatic service, and for the improvement of the personnel of the Department of State (also amended Dec. 23, 1910). This step was taken by the President and the Department of State under Mr. Secretary Knox of their own motion; that is, without any considerable fresh agitation from outside. The order provides for examinations for entrance into the diplomatic service, and also upon transfers within the service, and for promotions on the basis of merit and proved efficiency, to prepare for which there must be kept "a careful record of the efficiency of each clerk in the department." This order again was intended to introduce into the diplomatic service

as much of the pure merit system of appointment and promotion as seemed to be consistent with the constitutional and statutory provisions for appointments by the President, by and with the advice and consent of the senate, and other peculiar conditions affecting that branch of the service. It had, and surely must continue to have a tendency to reclaim the diplomatic service from the spoilsman, and to put it in condition to serve the nation and protect its interests with dignity and efficiency.

Our further study should be directed to ascertaining how these executive orders have worked in actual practice after five years and two years, respectively, and this, as already stated, will be undertaken in the near future. It will be interesting to learn how the three limitations on the competitive merit system contained in the consular reform order have developed and affected the operation of the system; that is to say, how far, if at all, the requirement that candidates shall be approved in advance by the President as to their personality may have tended to limit applications, and whether this is beneficial, and how the idea of territorial distribution has been carried out, and how far appointments from the eligible list are made in practice from candidates standing at or near the head of the list, rather than those graded lower. In general the question is as to the extent to which appointments are now made, in the consular and diplomatic services, on the basis of merit and fitness solely without undue influence by political or personal or local considerations. This, of course, is what we all aim at, and there is abundant evidence that this is the aim of the present administration, as it was the aim of the preceding one.

Aside from demonstrating the working of the present system and the progress which has been made under it, there is the important question of strengthening the system and insuring it against possible setbacks in the future, under other national administrations which might be less friendly to the principles of the merit system. To this end an effort is being made to give legal sanction to the introduction of the merit system in the consular and diplomatic services which now rests merely upon these two executive orders, so that these orders could not well be revoked or ignored in practice by any subsequent exec-

utive. This effort is now embodied in the Lowden bill, so-called, introduced in the House of Representatives Jan. 11, 1911 (H. R. 31,170), entitled "A bill for the improvement of the foreign service."

The Lowden bill classifies and grades the secretarieships in the diplomatic service, a very necessary prerequisite to any reform, and provides for a Board of Examiners in the diplomatic service, and also in the consular service, thus giving these two existing boards a legal standing. It provides generally that the scope and method of the examinations shall be determined by the boards of examiners, but makes certain excellent requirements as to what the examinations shall include, showing that they must be very comprehensive. It requires that examinations shall be held at least once a year, and shall be conducted with strict impartiality and without regard to political or other affiliations of any candidate. Upon their conclusion, the examiners shall certify the names of the persons whom they have found to be thoroughly well qualified for the diplomatic or consular service, which report shall be made public; and the Secretary of State shall at the same time make a public statement of the proportional representation of the different states and territories in the foreign service. The bill also requires the Secretary of State to report from time to time to the President, with his recommendations for promotions or for transfers, the names of those secretaries in the diplomatic service, and of those consular officers or departmental officers or employees, who, by reason of efficient service, an accurate record of which shall be kept, have demonstrated special efficiency, and also the names of persons found on examination to have fitness for appointment to the lower grades of the service. It is understood that this bill emanated from the State Department, and represents the ideas and the wishes of the present administration by way of securing the advances already made. The bill certainly has great value, and should be urged for passage by the friends of the merit system and of good government. In this we should be supporting the administration of President Taft, and would be justified by the very luminous and favorable report made on this

bill by the Foreign Affairs Committee of the House of Representatives.

In closing this report we cannot do better than to quote the last two paragraphs of President Taft's message to Congress on the foreign relations of the country, transmitted Dec. 7, 1911, as follows:

"The entire foreign service organization is being improved and developed with especial regard to the requirements of the commercial interests of the country. The rapid growth of our foreign trade makes it of the utmost importance that governmental agencies through which that trade is to be aided and protected should possess a high degree of efficiency.

"I therefore again commend to the favorable action of the Congress the enactment of a law applying to the diplomatic and consular service the principles embodied in section 1753 of the Revised Statutes of the United States, in the civil service act of Jan. 16, 1883, and the Executive orders of June 27, 1906, and of Nov. 26, 1909. In its consideration of this important subject I desire to recall to the attention of the Congress the very favorable report made on the Lowden bill for the improvement of the foreign service by the Foreign Affairs Committee of the House of Representatives. Available statistics show the strictness with which the merit system has been applied to the foreign service during recent years and the absolute non-partisan selection of consuls and diplomatic service secretaries who indeed far from being selected with any view to political considerations have actually been chosen to a disproportionate extent from States which would have been unrepresented in the foreign service under the system which it is to be hoped is now permanently obsolete. Some legislation for the perpetuation of the present system of examinations and promotions upon merit and efficiency would be of the greatest value to our commercial and international interests."

ANSLEY WILCOX, *Chairman.*

## Improvements in the Administration of the Merit System in New York City

HON. JAMES CREELMAN, PRESIDENT OF THE MUNICIPAL CIVIL SERVICE COMMISSION OF NEW YORK CITY.

It is no exaggeration to say that from a governmental viewpoint New York is the most important as well as the most interesting city in the world. With a population of more than five millions of inhabitants—almost equal to the entire population of Holland or Sweden—and with more than 40 per cent. of its inhabitants foreign-born, this largest municipal organization in existence represents a civic problem without a parallel in human history.

The application of the competitive merit system to the public affairs of such a city carries with it moral responsibilities almost beyond the power of words to express. The rapid crush of population in this country into great organized centres would be terrifying were it not for the increasing promise of local governments more or less free from the corrupting and confounding effects of political or personal favoritism. Already twenty-five million inhabitants are crowded into a hundred American cities. The municipal problem in the United States carries a thousand more perils to the peace and purity of the people than the national problem.

If, then, it is possible to make the competitive merit system work in the government of the greatest city on the continent, the most complex city in the world—with its multitudes of ignorant, oppressed and discouraged immigrants swarming in from the ends of the earth—who shall say that reasonable and scientific methods of public service shall not in the end prevail throughout the country and a sure foundation for the nation's strength be laid in our cities and towns?

Speaking to you as the president of the Municipal Civil Service Commission of New York, which applies the merit system to more than fifty-five thousand public



officers and employes, with an annual payroll of fifty-three million dollars, I can honestly say that the civil service law and rules are being enforced today in the spirit and letter of their creation, and that in the great body of the classified service of that great municipality it is almost impossible to bestow public employment as a political or personal gift. New York City is served today by an army of trained men who now look to no political boss for protection or punishment. I speak, of course, of those under the direction and control of Mayor Gaynor, whose administration is fearlessly devoted to the policy of non-partisan government.

The promotion examination through which the position of chief of the Fire Department of New York was filled by fair competition this year was intended to be a test of the possibilities of the competitive merit system. The safeguards which surrounded the examination were, many of them, new. The tests were intended to bring out knowledge, experience, technical training and strategy. The medical tests also were severe. The result of that examination was the selection of the man who is admittedly the most competent executive fireman in the country. It is acknowledged generally that this is the most important position ever filled by competitive examination in this or any other country, and the experiment, costly and exhaustive though it was, shows that practically any public office that does not involve the creation of, and responsibility for, administrative policies may be satisfactorily filled by intelligent and just competition.

It is impossible to describe the work carried on by the Civil Service Commission in New York this year, except in a few matters. The man who has to administer such a law, if he be in earnest, soon discovers that the competitive civil service system cannot be enforced by talking or philosophizing, and it does not lend itself to a few bold and picturesque acts, but that, when it is actually put in practice, it divides itself up into thousands of dry, hard, technical details, which call for steadiness, strength and patience.

The Commission, this year, adopted the policy of avoiding harsh methods. When it enforced a law against

an appointing officer it did not print the details in the newspapers. Whenever the Commission discovered that an appointing officer was violating the law or permitting violations, it prepared every possible lawful means of coercion or punishment, including the stoppage of the payroll, and then, in a courteous communication, in which the enginery of coercion was frankly but respectfully indicated, the Commission requested the officer to obey the law. The purpose was to give administrative officers a fair chance to comply with the law and the rules without any sense of mortification. When the law was obeyed and the appointing officer found that there was nothing about it in the newspapers, and that he had suffered no public humiliation, it was only natural for him to come to regard the reform as his own, and to stick to it loyally thereafter. Even in the case of the Police Commissioner who was forced out of office because of his refusal to carry out the civil service law and rules, the Commission gave him every opportunity to recede from his unlawful position before making public complaint to the Mayor.

The ancient Japanese code known as "Bushido" contains this military maxim: "When you can surround an enemy never surround him completely." The experience of the Municipal Civil Service Commission in New York this year shows that the civil service law can be made to work, and work well, when administrative officers are allowed to retreat rather than compelled to fight. I earnestly commend this thought to civil service reformers and civil service commissions throughout the country. It has proved its soundness in practice many times in the past few months.

One great abuse in the civil service system of New York which was corrected this year was the practice among candidates on the eligible lists of writing out waivers of their rights in order that particular favorites, whose names were farther down on the lists, might be appointed. This was an old and widespread evil. The Commission declined to recognize the right of a candidate to waive his position on the list. It treated a waiver as a declination. The candidate, when summoned for ap-

pointment, had to accept or decline. No other course was open to him. If he declined the position and salary for which he was examined, his name, under the rules, could not be so certified again by the Commission. In one week that evil had come to an end in every department of the city government.

It must be remembered that Mayor Gaynor set the practice of the competitive merit system far beyond the civil service rules when he issued an order making it compulsory for the Police Commissioner and the Fire Commissioner to make appointments from the civil service eligible lists in exact numerical order, without exceptions. That made favoritism impossible. The public servant could hold his head up and do his duty without fear. He knew that he had secured his place by his own merits. No political boss or organization could pretend that it had helped him. He was free to serve the city without fear or favor. Although not under written orders, the Dock Commissioner, the Tenement House Commissioner and the Commissioner of Correction, out of sympathy with the Mayor's policy, also made appointments in strict numerical order.

But the enemies of any system of government are not always to be found on the outside. So it has been in New York City. Until a few months ago there was a spirit of conspiracy developed within the ranks of the public service which broke down a large part of the competitive promotion system. Through intimidation on the part of superior officers, or through combinations among the eligibles employed, themselves, in order to reward a favorite, it was a frequent practice that all but one of the persons eligible to take part in a promotion examination would send to the Civil Service Commission written waivers of their rights. Then, under the rules, the head of the department would ask to have the remaining eligible, who had not waived his rights, promoted without competition.

That was a vicious abuse. The effect on the public service was deplorable. It struck at the heart of the most substantial, just and practical part of the civil service merit system. Whatever may be said about the

difficulty of ascertaining the actual efficiency of candidates through written examination for original entrance to the service, no such criticism applies to promotion examinations. Every public employe in the city has his efficiency record entered in a book by his superiors once every three months. It shows the kind and quantity of his work, his general conduct and punctuality. To this is added his length of service. The whole public service is thus on record every three months as satisfactory, more than satisfactory, and less than satisfactory. As these records have a weight of one-half of the whole weight in all promotion examinations, it will be seen that nothing could be fairer and nothing better adapted to show a public servant's real worth.

Such a promotion system is intended to keep alive hope and ambition and to stimulate a spirit of self-improvement. Every candidate knows that his ability to rise in the service depends on his own merits. This is the splendid device for good government and for the recognition of ability and faithful service which was being wrecked by coercion and by combination. The Commission refused to recognize the waivers of persons eligible for promotion. Many devices were resorted to, to continue the practice of promoting favorites without competition, but all were futile. The Commission would not make exceptions. Then a bureau in one department sent in twenty waivers from twenty-one persons eligible for promotion. The department asked that the remaining eligible be promoted, under the rules, without competition. The instant answer of the Commission was to order an open competitive examination for the vacant place, and also to order a competitive promotion examination. When the time for filing applications for the promotion examination had expired and it was found that only one person had applied—he being the person who had procured the twenty waivers for his purpose—the Commission cancelled the order for the promotion examination, on the ground that an effective list could not result, and ordered that the vacancy could not be filled except by a stranger from the open competitive list. At that time the Commission also decided that the same method would

be employed to stop any other similar attempt to cheat the competitive principle in promotion.

The results of the new enforcement of the promotion system in New York are already impressive, although the reform has been in operation only a few months. The competitive promotion examinations ordered in the last two months amount to something like 30 per cent more than were ordered in the whole of last year. The Commission's examiners estimate that more than five hundred civil employes will have entered promotion examinations by the end of the year who would have been kept away under the now-ended waiver method of defeating the law.

Not only that, but the Commission has further protected the promotion system by refusing to allow any department to alter the efficiency records set down to the credit of its employees. The ratings are made when the facts are fresh in the minds of superior officers. It would make a farce of these ratings if it were possible for an administrative officer or his representatives to go back over efficiency records and alter them in order to give the advantage to their favorite in promotions.

To make it certain that efficiency records are kept continuously and with absolute uniformity throughout all departments of the city, the Commission has decided that wherever the records are not maintained properly and subject to frequent inspection by its examiners, no promotions will be allowed in that department and vacancies will have to be filled from open competitive lists.

I can hardly sufficiently acknowledge the assistance given by the Civil Service Reform Association in calling attention to abuses, and it was a complaint by the Association that led to the defeat of an unlawful appointment to the important position of general medical superintendent and the reform of a loose, lawless practice in certifications by the Commission itself.

## The Relation of Organized Labor to Civil Service Reform

BY HONORABLE SAMUEL B. DONNELLY, UNITED STATES  
PUBLIC PRINTER

The relation of organized labor to civil service reform has been one of agreement.

Coincident with the origin of the civil service reform movement the associations of workmen initiated their efforts for national federation and in their national conventions evidenced an interest in the problems of government and civil administration.

In England, sometimes called the classic country of trades unionism, the civil service system was well developed. The opponents of civil service reform in America prophesied that a civil service aristocracy similar to one said to exist in England would be created in this country if the reform movement were successful, but the trades unions were not at all alarmed by these prophecies, particularly for the reason that the English system had in no wise interfered with or hampered the growth of the trades union movement in that country.

When this movement had its inception, the conditions of employment of laborers and mechanics by the government of the United States and the several states and municipalities therein were comparatively the same as the conditions of employment in private industry. The object of trades union policy at that time was stated in fewer words and was more comprehensive than the announced policy of today. The primary object was the securing of a living wage and the establishing of a shorter working day.

Further than that, the securing of permanent employment was and is the great desire of those whose capital is their labor, whose means of subsistence are at an end the moment their labor is not turned into value. To attain this much-desired end, the efforts of the advocates of

civil service reform co-operate most powerfully with the working men, organized and unorganized, and no one recognizes this fact more clearly than they do.

For many years the different trades have striven to secure the betterment of their membership through organized effort. While the workers in many trades had always had specific grievances which they sought to redress and particular rights which they desired to maintain, one of the declared rights for which the mine workers' union was organized was one that municipal employees in many cities long contended for, namely, the right to spend their wages where they chose. Another right for which they contended and which was frequently denied employees of municipalities was the right to receive and enjoy the fruits of their labor without interference.

An aged and distinguished citizen of New York City in recent years offered proof of the saying that "there is nothing new under the sun," and derived much pleasure by exhibiting a souvenir of his career as commissioner of parks more than half a century ago, consisting of a notice which he posted upon the sides of all park vehicles, informing the employees that the offering for sale or endeavoring to induce employees of the department to purchase tickets for raffles, benefits, dances, or political outings by superintendents, foremen, or any other employees, would result in the discharge of the offender.

Such abuses of the power of the employer are manifestly impossible under the civil service law. Merit is the sole prerequisite to employment. Fidelity and continued capacity ensure a steady tenure of it. For the government of this ever-growing Republic knows no seasons, in the ordinary transaction of the public business, when the deadly "lay off" deprives its employees of the means of turning their stock in trade—labor of hand or brain—into that which means the enjoyment of existence for themselves and family.

The sympathy with civil service reform by the trades unions was to some extent the result of the ability of their members and leaders, commencing as they were the study of economic conditions, to realize that the old system encouraged inefficiency, extravagance and waste. The practice of employing great numbers of men during cer-

tain periods of the year just previous to election time and wastefully expending the appropriations resulted in periods of idleness for all at other seasons of the year, and in neglect in performing, and in some cases complete failure to perform, the functions for which the particular organization was constituted.

The conditions of employment in the public service were capricious and the rates of pay and the hours of labor uncertain. The privilege of entering the public service was positively denied to a large percentage of citizens, and the opportunity to work in this service was granted not because of the qualifications of the applicant, but as a reward for services rendered in support of the faction, wing, or coterie of the political organization in power. The changes in the personnel and the working force of departments and government industries which invariably followed a change in administration were brutalizing in their effect upon the community.

Particularly as a result of the discharge of several hundred employees caused by a change in the national administration, the Typographical Union of Washington requested the President to place the Government Printing Office in the classified service.

In 1892 Commodore Folger, then chief of the bureau of ordnance, Navy Department, advised a committee of Congress that the reduction in the cost of labor on guns manufactured by the ordnance department since the introduction of the new system amounted to sixty-four per cent. Commenting upon the effect of the introduction of this system he made the following statement:

"The bureau finds it difficult to express its high appreciation of the benefits to the government, and, certainly, to the labor employed, speaking in a general sense, of the system of open competition at present adopted for the selection of labor. It would indeed be impracticable, considering the special technical knowledge needed in the manufacture of much of the output of the shops, to successfully use any other method than that which prevents the selection of labor of one political complexion. It would be impossible in months to replace the high grade of technical skill at present attained by a portion of the workmen in the shops at the Washington navy yard, and



were these men of but a single faith, and subject to removal with the change of administration, the loss to the government occasioned thereby would be incalculable.

"It is unnecessary to state that the labor employed in a large establishment, whether it be under public or private control, should look only to its immediate technical superiors for employment, promotion, and government in all disciplinary directions. The practice of depending upon outside influences, as in former methods employed in the selection of labor at the various yards, worked untold evils to the labor element, and certainly much annoyance to 'the influence,' to say nothing whatever of the interests of the government, which were simply sacrificed. It would seem superfluous to quote instances of such results, the deplorable nature of which will be recalled by many members of Congress."

Our governments—national, state, and municipal—have universally adopted the eight-hour day as the working day for laborers, mechanics, and artisans. The rates of wages are uniformly the best in their localities or districts. This condition has been particularly the result of the work of this association.

I do not believe that anywhere in these United States there will be found a government official who is engaged in any business that is or can be patronized or in anywise supported by the employees under his authority.

Another misfortune—that of accident—has been insured against in a limited form as a result of the passage on May 30, 1908, of the act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

Three remaining misfortunes to which the government employee is subject are illness, injury, and death. Sick leave with pay is now allowed to many government employees. Protection from the misfortune of old age in the form of a civil pension is now receiving the attention of Congress and has many strong supporters, the chief of whom is the President of the United States.

The carrying into effect of the measures for the promotion of economy and efficiency proposed by the Presi-

dent will insure permanency of employment and result in lasting benefit to all government employees.

Trades unions, brotherhoods, and associations of employees exist in many branches of the service. They are an active force in supporting the enforcement of the civil service laws and regulations. In many cases they maintain standing or permanent committees, whose principal duty is to secure the enforcement of the law and the full enjoyment of the rights and privileges of employees thereunder.

As a member in an official position of one of the great Trades Unions of the land, the International Typographical Union, I may be pardoned for referring to some of the achievements of this organization, embracing as it does the great majority of craftsmen in the United States and Canada, in objects that are directly in line with the aims of the advocates of civil service reform.

First of all, it has made the settlement of trade disputes by means of strikes practically impossible in the newspaper trade. And after a settlement has been arrived at, after a contract has been entered into, under no circumstances does it permit its members to become unfaithful to its provisions.

Second, recognizing that fairness to the employer as well as prosperity of the employee is involved in the ability of the latter to render efficient service, it has been the means of calling into being a school that makes of the ordinary and the average printer an artist competent to give the highest grade of service. It encourages merit in its members, it frowns upon mediocrity, and does not impose upon the employer an inferior class of workmen.

Third, mindful of the fact that few of those who labor with their hands in the days of their prime earn a sufficient wage to enable provision against the time when the earning power has waned, it has provided a fund to which every member adds each month, which is disbursed in the shape of weekly pension to those who are no longer able to earn a living at the trade. In this particular, it will be noted, that organization is a long step ahead of the government of this prosperous Republic.

Aside from this old-age provision for those veterans of the craft who do not wish to leave their homes, the

organization has created and maintains at the cost of nearly a hundred thousand dollars a year that splendid home in Colorado, which has made the name of the organization synonymous with all that is tender and good. There the veteran and the invalid whose record has been clear finds a haven of refuge where every reasonable want is supplied, where he is considered and treated as a guest in the Home that his own earnings helped to create.

And as death is the last of earth, I will mention as the last of the tender things to which this body of working men and women can lay claim the fact that only this year the death benefit that is paid at the demise of a Union printer has been largely increased by the overwhelming affirmative vote of the membership.

Does not the foregoing show in eloquent measure the harmony that exists between organized labor and civil service reform? All that you have secured by your unselfish and persistent efforts has been what organized labor has striven for. All that it still is trying to secure for its members you stand pledged to labor for. Of the hundreds of thousands of bills presented to Congress during the past thirty years and of the thousands of schemes that have been advocated for the improvement of our methods of government and administration, none have withstood the criticism of statesmen and the test of time and the enforcement of none have resulted in the measure of benefit to the government, to the employees of the government, and to the taxpayers of the country, as have the measures advocated by this association.

Is it not proper that the champions of civil service reform and the representatives of organized labor stand together as friends and co-workers?

## The Situation in Illinois under the New State Civil Service Law

HON. W. B. MOULTON, PRESIDENT OF THE ILLINOIS CIVIL SERVICE COMMISSION.

In view of recent developments there may be some of you who doubt that such a measure as a civil service law could possibly exist in Illinois—much less thrive. The blackest appearing soil, however, as you know, will produce most wholesome harvests. Poor Illinois, from its very name is the "land of men" and contains like any other great state of its size all manner and make of men. When the bad elements come to the top, it should only enlighten you how hard the fight is there for good government, especially when you consider what has been accomplished. I do not know of any commonwealth or city where the forces for good government fight any more persistently and intelligently than they do in Chicago and Illinois and nowhere do they secure any better results and awaken such a quick response from the people. The work of the Municipal Voters' League and other civic associations in Chicago and of the Civil Service Reform Associations, both city and state, under the present officers is exceedingly effective.

In the extent of its civil service laws and in the development of some of the problems of civil service administration, Illinois occupies a foremost and unique position. In extent it has laws now covering the cities of Chicago, Springfield, Peoria, Joliet, Alton, Evanston, Waukegan, Aurora, Elgin and Rockford; the County of Cook in which Chicago is situated; the three park systems of Chicago, and the employes of the state. The total number of civil service employes in all branches of government within the boundaries of the state now aggregate 55,000.

It is not so much the extent of civil service in Illinois that I wish to speak of as the unique develop-

ment of distinctively local ideas in the laws themselves. These features are first the rigidity of the laws so far as exemptions are concerned; second, the necessity of a hearing by the commission before a discharge can be made; and third, the incorporation of standardization and efficiency requirements in the laws. There is a fourth which I shall not touch upon; namely, the certification of but one name for appointment now a part of all the laws in the state.

And first the removal from the commission of the power to make exemptions. We do not take much stock in Illinois in the confidential nature of public positions, and none whatever in the impracticability of competition. Our laws make but few exemptions and these generally are limited to heads of principal departments. The commissions have no power to classify as exempt or non-competitive any position in the service. The Legislature did that once for all in the statute. The City of Chicago act exempts only the legal staff and the heads of principal departments. Out of some 25,000 employees there are but thirty-six exempt aside from the legal staff. The first state law covered only the charitable institutions and exempted on the confidential ground one private secretary or stenographer for each superintendent and the chief clerk of each institution. In 1909 the new board of administration act removed these from the exempt class and placed them under the civil service law with the acquiescence of the superintendents. In the amendments of the present year extending the law over practically the entire state service, we again find the private secretary or stenographer, for each of the six elective officers, exempted on this ground. The confidential nature on which these exemptions were based related to political matters not public "secrets." After six years as an administrator of this law, I have yet to find any reason based on the alleged confidential nature or on the impracticability of competition which should exempt a position. In administering the law we are absolutely relieved of all the troubles of the New York Commission—for we cannot exempt a single position.

All Illinois laws now have the provision that a hearing by the commission must be had on all charges filed

against an employe before he can be discharged or suspended. This provision was incorporated in the state law this year and we have been working under it since July 1st. I presume we have about ten discharges a month and as yet I have not seen any evidence that the discipline has suffered or the responsible officers hampered. On the other hand, it is developing some good features not thought of. For instance, we have appointed as hearing or investigating officers at various points in the state public spirited citizens of high standing in the community. These citizens-officers have developed an unexpected interest and capacity. Keeping in close touch with the service and the work of the commission, they have become advocates of civil service in their respective communities.

Further, many heads of institutions seem to be glad to have a convenient official on whom they can throw the burden of a particularly disagreeable investigation. I believe this feature of it will grow and the heads of departments will find in these investigating officers a real and valuable auxiliary in the enforcement of discipline.

Taking up the third feature we find that Section 3 (a) of the state law provides as follows:

"Sec. 3 (a) STANDARDIZATION. The commission shall ascertain the duties of each office and place in the classified service and designate by rule the grade of each position. Each grade shall comprise offices and places having substantially similar duties. The commission shall by rule indicate the lines of promotion from each lower grade to a higher grade wherever the experience derived in performance of the duties of such lower grade tends to qualify for performance of duty in such higher grade. The commission shall by rule prescribe standards of efficiency for each grade and for examinations of candidates for appointment thereto. For the purpose of establishing uniformity of pay and title for all offices and places of employment classified in the same grade, it shall be the duty of the commission to prescribe by rule the maximum and minimum pay for each grade and the title thereof and to report to the Governor annually, and at such other times as he

may direct, the name and address of each officer and employe paid more or less than the pay prescribed for his grade or designated by a title other than that prescribed for his grade by the commission.

"The commission shall standardize employment in each grade and make and keep a record of the relative efficiency of each officer and employe in the classified service. It shall provide by rule methods for ascertaining and verifying the facts from which such records of relative efficiency shall be made, which shall be uniform for each grade of the classified service."

This is the striking new feature which Illinois has contributed. Curiously enough it is the one portion of the law that even the opponents of civil service legislation in Illinois think may be worth while. Many of the political heads of departments have expressed the opinion that the efficiency reports will be most helpful to the proper conduct of their office. The commission under these requirements is told by the Legislature that its responsibility does not end with its certification of a suitable employe. It must follow that employe into the service and verify or withdraw this certification accordingly as the employe does or does not make good in his employment. This has a two-fold value. It has a moral effect upon the employe to know that a record is being kept of his work. It is of value to the commission in that it will keep it informed of its own deficiencies in selective methods. Not only must the commission check over the work of the individual employe, but, what is far more important, through the standardization requirements, it must study the whole public service—the entire governmental machine—to determine whether it is a well co-ordinated machine and whether its power is being distributed and applied to the best advantage. Other than civil service commissions no permanent department of government has ever undertaken the responsibilities of these problems before or studied the whole public service of a state or city with these objects in view. It is work that theoretically belongs to the executive head of the state—but most states, like Illinois, have the work of their executive departments distributed among five or six

elective officials who usually are politically and personally hostile to each other. No co-ordination is possible under these circumstances, and, even if it were so, I know of no elective officials who have given scientific study or marked attention to efficiency in the public service.

In the development of this work the Illinois commission is seeking to perfect a system of reports adapted to the duties of each class of positions. For instance, the alienist of the board of administration submitted to us an excellent form for a report on the facts which would make up a record on the members of the state medical service. He had worked it out because he was anxious to have it in operation at the earliest possible moment.

Illinois is one of the leading coal states. The safety of the miners' lives and the mine owners' property depends upon the intelligence and faithfulness of the state inspection of mines. These men have each a district with only nominal supervision. We found the work of inspection was without any proper check. As a result, last year a large number of mines remained uninspected, although the law requires an inspection every six months. Three forms of reports were sent each inspector to be returned at the end of every month. One form called for a day to day account of what the inspector actually did. A second form required the name and location of each mine inspected and the name and location of each mine in his district not inspected during the preceding six months with the reason if any why such mine had not been inspected. The third form called for a detailed report on the conformity of each mine inspected with the requirements of the state mining act. The inspectors have been given to understand that the commission has means to verify the accuracy of these reports. We have been told by the Secretary of the state mining board that the result of these reports will make a marked improvement in the inspection of mines in Illinois almost revolutionary in character. There is no question as to the moral effect of these reports. I believe they will do more to make civil service administration a real effective force for the betterment of the public service than any other feature of the law. I also believe it will tend to make the law more popular with the officials and with the public.



In the work on the service as a whole we have made a beginning by charting the entire state service showing the distributions of the various positions among the different departments with the wide variations as to salary. For the first time the appropriation committees of the next legislature will have before it a birds-eye view of the whole service with the requisite information on which they can act intelligently in making appropriations. A member of the commission will be on hand at each hearing of the committees on appropriation for salaries in order to prevent inequalities in salaries and secure a uniformity throughout the service. Also the commission will object to any appropriations being made for useless positions, and by the time the next legislature meets it expects to have a long list of such places with full data showing their uselessness. In classifying the service this fall we found 450 different titles in the State service. This number we have succeeded in reducing to 250.

The public service of Illinois in all branches of its government is now more completely under civil service regulations than that of any other state. We believe we are developing ideas of civil service administration in our State that will make our civil service systems powerful agents for good government.

## The Spoils Raid in New York State Service

ROBT. W. BELCHER, ASSISTANT SECRETARY OF THE NEW YORK CIVIL SERVICE REFORM ASSOCIATION.

During the last ten months the public service of New York State has been subjected to a series of vicious spoils raids in the interests of the political organization now in control. That such attempts to break down the bars which the merit system puts in the way of the job-broker, would follow the political upheaval in the elections of 1910, was not wholly unexpected, for the philosophy of Tammany Hall, the dominant organization within the victorious party, is not of the sort to view the merit system with a friendly eye. The one possible defense against such attacks lay in the state civil service commission which Governor Dix appointed on February 7th. It is true that in spite of a pre-election pledge that if elected he "would appoint a civil service commission in full sympathy with the letter and spirit of the civil service law and the merit system," the new commission had as its President the Democratic member of the previous commission whose attitude during his entire ten years of service has been strictly partisan, and that of the two new members neither were men whose experience had been connected with civil service matters, or whose records gave any great assurance of a sympathetic administration of the law. To this commission was given a great responsibility and a great opportunity. By taking a firm stand in defense of the law, and against any and all attacks upon it, by insisting that the performance of their plain duty allowed of but one course, the maintenance of the competitive principle wherever practicable, the Commission was in a position to do a great service. It has been in office now for ten months. The history of those ten months will alone show whether these men have seen their duty in this light and how well they have performed it. That history is as follows:

The first meeting of the new commission was held on

February 21st. It was the signal for the beginning of the attacks upon the merit system. At this meeting requests for exemptions of fifty-four places in the state service and of a number of positions in the services of Kings and New York Counties, the exemption of which had been refused by previous commissions, were made. Forty-nine of the exemptions asked for were in the office of the State Comptroller. This list included 22 transfer tax appraisers, 13 examiners of stock transfers, 8 court and trust fund examiners, 3 prison clerks and 3 assistant prison clerks. All of these positions had been made competitive during 1909 and 1910, and examinations resulting in the establishment of eligible lists of high grade had already been held. The total value of the exemptions asked for at this meeting was \$117,000, of which \$108,600 was in the office of the Comptroller.

The Commission adjourned without taking action, and on March 2nd granted a public hearing. The ominous significance of these requests had aroused a storm of protest in the press, and at the hearing representatives of stock exchange firms, the Citizens' Union, organizations of civil service employees and of the Civil Service Reform Association appeared in vigorous opposition. The Commission adjourned at the end of the hearing without acting on the Comptroller's request. On March 14th it met again, and this time by a vote of two to one, Commissioner Ludvigh voting in the negative, granted the exemption of all but the twenty-two transfer tax appraisers.

Then followed an attempt at petty trickery on the part of someone, which the Commission has never seen fit fully to explain. The civil service law requires that in every case of exemption from competition the number of places so exempted shall be specified in the classification. In the passage of the resolution of exemption on March 14th, however, no mention was made of the number of examiners of stock transfers or of court and trust fund examiners. On March 17th a copy of the resolution in its final form was received by the New York Association. This resolution instead of exempting eight court and trust fund examiners and thirteen examiners of stock transfers, exempted exactly double that number. For this peculiar action the only explanation given was that

President Kraft of the Commission had obligingly allowed the Comptroller himself to insert the number of places to be exempt and that that officer calmly decided to take full advantage of this opportunity. These astonishing facts were given to the press on Saturday, the 18th. On Monday, the 20th, the Association was informed that the resolution of the 14th was withdrawn, and on the 21st a new resolution, this time of 8 court and trust fund examiners and 13 examiners of stock transfers, was passed. The exemption of the 22 transfer tax appraisers was acted upon favorably April 5th; but suit was immediately brought for a writ of mandamus compelling the Commission to reverse its action in the case of the examiners of stock transfers and the transfer tax appraisers. In the meantime the Governor, whose approval of changes in classification is necessary before they become effective, granted a hearing on the question on May 5th. Pending the determination of the question in court, however, he has not yet given any decision. As to the judicial proceedings it may be said that a Supreme Court Justice was overruled by the Appellate Division in his decision in granting the writ to compel the Commission to make the positions competitive. The Appellate Division did not, however, rule on the question of classification. The cases have been carried to the Court of Appeals, and will be argued in a short time.

Comptroller Sohmer's assault on the merit system was followed on April 19th by a request from the Commissioner of Excise for the transfer of 60 special excise agents (value \$90,000) from the competitive class, where they had been for fifteen years, to the exempt class. This plea was made, of course, on the ground of confidential relationship, but according to the attorney representing the Commissioner of Excise, merely in order to correct a "mistake" which had been made by an earlier commission. Inasmuch as the "mistake" in the classification on which the Excise Commissioner laid so much stress had remained undiscovered fifteen years, during which time competitive examinations had been held and appointments made from eligible lists, the Commission turned this request down.

For about two months following this action there

was a lull in these attacks and then suddenly toward the end of July proposals of a singularly outrageous character were advanced. The Commission met in New York City on July 25th, and then adjourned for a meeting in Albany two days later, which it was announced was to be the last meeting until September. The net result of the deliberations of the Commission on these two days was the addition of 92 more places to the exempt class, nearly all of which are of the sort which are regularly filled by competition in the state service, in the service of New York City or elsewhere. Out of the lengthy list of exemptions granted at this time the action of the Commission with relation to the office of the State Fire Marshal and the Department of Labor may be taken as fairly illustrative of the extremes to which spoils raids have gone in the last few months and of the spirit of ready compliance therewith which has characterized the Commission.

The office of the State Fire Marshal was created by act of the Legislature at its last session. This legislation was the direct result of the awful tragedy of the Asche Building fire last winter, in which nearly 150 lives were lost through violations of fire prevention laws and neglect to provide sufficient means of exit. The new bureau of the State Fire Marshal was intended to provide the machinery to secure the proper enforcement of fire prevention legislation and to prevent a recurrence of such disaster. The new bureau is provided, together with the other necessary officers, with an inspection force composed of a chief inspector and eight inspectors. There is, perhaps, no other department of the state government which, because of the selfish interests which may well be counted on to try to avoid the requirements of law through financial or political pressure, should be kept so free from the influence of the spoils system. How was it organized? The act became law on June 26th. A few days later Governor Dix appointed as State Fire Marshal Thomas Ahearn, a brother of the Tammany ex-Senator who later became Borough President of Manhattan, only to be removed by Governor Hughes for incompetence and neglect of duty. Mr. Ahearn had been up to within a few weeks of his appointment a deputy chief in the New

York City Fire Department, and had it not been for certain physical injuries received while in the performance of his duties he would have been a candidate in the competitive promotion examination to fill the important and highly "confidential" position of Fire Chief. On July 25th this official appeared before the State Civil Service Commission at the meeting in New York City, accompanied by Assemblyman Hoey, a militant Tammany Hall representative, and calmly asked for the exemption of every position in his office, from deputy down to office boy.

This astonishing request, which, if granted, would have put the office on a basis absolutely without precedent, was made on the ground that all of his employes because of the peculiar nature of his office occupied confidential relations with himself. The request for these exemptions came so unexpectedly that it was impossible for those opposed to such an outrage to make at that meeting any satisfactory protest, and request was made by the Secretary of the New York Association to be allowed to file a brief in opposition. This request was granted, but the Commission stated that the brief would have to be filed by July 27th, because there was necessity for immediate action. The brief was sent on July 26th. The Commission met in Albany the next day, and there granted the exemption of all but six of the 21 places in the State Fire Marshal's office, the exceptions including the messenger, telephone operator, clerk and stenographers. Among the positions exempted were those of chief engineer, chief inspector and the entire inspection force. Of the exemptions granted but three could be justified on any grounds whatsoever. In other words, this department established to protect the lives and property of the people of the state is now organized on the basis of the spoils system, and to that end the State Civil Service Commission, whose duty it is to uphold the merit system, has given its aid and comfort.

The history of the classification of eight supervising factory inspectors in the Department of Labor is, if possible, an even worse case than the classification of the State Fire Marshal's office. The facts are as follows: On July 21st an act to reorganize the factory inspection

force in the Department of Labor was signed by the Governor and became law. This act provided for eight new positions of supervising inspector, each supervisor to be assigned to a district of the state, in which he was to superintend and direct the inspection force under him.

This new grade was created on the recommendation of the Wainwright Commission, a body of eminent legislators and private citizens who conducted some time ago a thorough investigation into labor conditions in the state. In its report to the Legislature this commission was particularly careful to emphasize the importance of keeping the supervising inspectors free from the influence of political considerations, and it, therefore, specifically recommended that these positions be placed in the competitive class. On July 27th, six days after the passage of the act, the Commissioner of Labor requested the exemption of these eight positions, offering as his reasons for the request practically nothing more than that competition was impracticable because the positions were important. The Commission was meeting in Albany that day and was to take a vacation until September. No notice of these proposed exemptions had been given out and no hearing was held. The commission had before it no other evidence as to the practicability or impracticability of competition than the bare statement of the Labor Commissioner, but then and there, without more ado, it granted these exemptions and handed over to all the influences to which exempt positions are known to be open the places in the factory inspection force which according to the most expert opinion they could have obtained should be made competitive. The resolution for exemption was approved by the Governor immediately after its adoption by the Commission, and the Commission adjourned, not to meet again until September. This outrage stirred organizations interested in the factory and labor legislation to an effort to secure a repeal of the exemptions. On October 9th a number of these organizations wrote to the Commission asking them to reconsider the exemption. In response to this request the Commission granted a hearing, which was held on October 18th. There were present at this meeting representatives of a number of organ-

izations, including the Civil Service Reform Association. Before the hearing it had been learned that the Commissioner of Labor had not yet made any appointments, and the Secretary of the New York Association therefore suggested to the Commission that it ask the Labor Commissioner to withhold his appointments until they had had time to reconsider. This the President of the Commission stated he did not think could properly be done, but the Labor Commissioner gave it to be understood that if the Commission wished to reconsider he would withhold appointments, and the Commission granted another hearing, which was held in New York City October 31st. This hearing was, perhaps, the most impressive protest which the Commission has yet listened to. About seventy-five persons were present, and for over two hours the Commission listened to arguments by persons thoroughly versed in the requirements of the positions of the supervising inspectors and in the possibilities of competitive civil service examinations. It has since been learned that three days before this hearing the Commission was informed by letter by the Labor Commissioner that if the Commission decided to reverse its action and make the positions competitive he would have no objections and would cheerfully abide its decision. This letter the Commission did not see fit to make public, although President Kraft did read a letter from the State Federation of Labor opposing competition. The Commission was unable to agree at this meeting and adjourned to meet in Albany November 6th, where again it was unable to decide. Meanwhile, on November 4th, Governor Dix in a letter to the Secretary of the New York Association, received November 6th, stated that he had decided that the positions should be made competitive rather than exempt. Of this decision of the Governor the Civil Service Commission was apparently not aware when it met November 6th. The letter was, however, given to the press on November 8th. The Commission met again November 14th; again it failed to act. Another postponement of action followed the meeting of November 16th, and then the Commission met in Albany November 29th, where it was hoped the final settle-



ment of the question might be obtained. Its delay was preventing anything being done to organize the factory inspection force and it was even then in receipt of a telegram from the Labor Commissioner urging immediate action. At this meeting, however, after a conference with the Governor, the Commission announced that it had decided that representatives of labor organizations, which are known to be opposed to competition, ought to be given an opportunity to present their views, and it, therefore, decided to defer action until such a hearing had been held. This meeting was held on December 12th. Whether the Commission after all this has been able to make up its mind on a matter which in the first instance it disposed of in so cavalier a fashion, has not yet been learned.

The cases so far cited, are fairly typical of the policy which the Commission has followed. A full account of their work to date would include many other instances of equal disregard of their duty to the public. The total number of exemptions to date is 271, out of a total of 478 asked for, and represents patronage to the value of over \$660,000. Of this number the exemption of 25 was made mandatory by the law, and 38 were positions previously exempt in other departments, or transferred from the jurisdiction of the New York City Commission. For the balance the Commission is directly responsible, and in the great majority of cases competition was entirely practicable. This responsibility the Commission cannot dodge. The decision as to whether these places should be kept free from the contaminating touch of a spoils machine, rested with the Commission. It is but fair to Commissioner Ludvigh, the minority member, to say that his sympathies have not been with this wrecking of the public service and he has done what he could to check it. The course of the other members has been characterized throughout by an utter disregard of their plain public duty and by a spineless surrender to the most indefensible pleas of spoils mongering officials and political leaders. Not a single piece of construction work has been attempted; the work of cutting down the exempt class which the previous Commission had begun, has been wiped out and the doors have been opened wide to the free entry of a

small army of political hangers-on and parasites on the public service.

There has been no such record of a disregard of the principles and spirit of the merit system on the part of any State Civil Service Commission under either Democratic or Republican administrations since the first civil service law was passed in the State of New York under Grover Cleveland in 1883.

## Competition for the Expert Administrative Positions in City Government

BY HON. CLINTON ROGERS WOODRUFF.

That the city needs experts successfully to fulfill its functions ought not to require proof. Perhaps it may not, before an audience composed of members of the National Civil Service Reform League and of the National Municipal League; but how about the community at large? Is it sufficiently emancipated from the old idea that to the victor belong the spoils, and that offices should be used primarily to reward political service? A survey of the situation as it exists to-day in the average American city reveals the fact that many higher city officials and experts are appointed or removed for political reason.

Let me illustrate. In Milwaukee the appointment of the commissioner of public works has been chiefly a political one; so has been that of the commissioner of health and the city engineer.

In Boston "Of the 22 new appointments by the mayor to paid positions as heads of important departments, 15 appear to have been made, and 7 appear not to have been made, as rewards for political support given to the mayor," according to the Report of the Boston Finance Commission made in August, 1910. (Vol. VI., p. 115). Only three of these appointments were approved by the Massachusetts Civil Service Commission under the new system.

In Pittsburgh, the city treasurer was appointed not because he was an experienced banker and as such qualified to handle efficiently and capably the moneys of the city, but as a reward for political services. The assistant director of public health is a political appointee and is not qualified, either by experience or training, to direct his work. Indeed, according to one authority, "The practice in Pittsburgh has always been to make appoint-

ments to important administrative positions as a reward for political services." This statement is subject, of course, to the qualification that such a plan did not prevail during the administration of George W. Guthrie.

These three cities are cited as instances of an all too general practice, and to sustain the contention that the average municipal community does not as yet fully realize the necessity for selecting and retaining experts in charge of its departments and bureaus; for otherwise the present practice would not be so nearly universal.

Not long since the comptroller of Greater New York asked "Who is our city's greatest educator?" He replied "Its city government." "Who is our city greatest philanthropist?" He replied "Its city government." "Who is our city's greatest social worker?" He replied "Its city government." "Who is our city's greatest health and hospital manager?" He replied "Its city government."

This is true; but do the people of Greater New York generally appreciate and realize it? In a measure yes, for reasons which I shall give later on.

Perhaps the line of progress in this, as in every other forward movement in the realm of government, lies in a clear understanding of the situation and an equally clear conception of what should be done to remedy it. For instance, I think it may be said, with entire truth, that the American municipal citizen is coming, slowly but surely, to realize that as a result of political appointments good men are put out of office and poor men are often selected to do the city's business; that the people's money is used to pay inefficient officials; that the city's work is poorly done as a result of such a course, that dishonesty and graft are thereby made easy and that the city's service is demoralized.

We are gradually learning that municipal government is a complex matter, and that we need men who are not only honest, but competent. I can easily recall the time when honesty was the sole platform of reform campaigns. Now honesty may be taken for granted; and efficiency is the demand of the enlightened progressive. How to achieve efficiency is the important problem, to which we must address ourselves. Appreciating this, the National Civil Service Reform League and the National Municipal

League have appointed a committee to consider and report upon the selection and retention of higher city experts, which committee during the past summer has had the benefit of the research and study of Arthur Dexter Brigham as investigator. This committee is not yet prepared to report its final conclusions. Richard Henry Dana, Esq., a member of it, presented a paper, dealing with the general scope of the committee's investigation, to the National Municipal League at its meeting in Richmond. Mr. Dana's paper, which he called "Antitoxin for Municipal Waste and Corruption," may be summarized as follows:

Microbes of diseased and of weakened administration appear in American municipalities whatever the form of government may be.

What attracts these microbes to enter the municipal circulation, unless it be municipal contracts, supplies, franchises, licenses, law and regulations enforcement, and what patronage remains over and above civil service laws? These we may call municipal riches, and when used for politics, municipal plunder.

It is proposed to take these attractions out of politics;

To prepare a safe place to put the control of municipal contracts, etc., we should bring about

a. The complete separation of the political policy-determining functions from the expert administrative functions, placing each in the hands of different sets of persons.

b. Tenure during good behavior and efficiency for the expert administrators and short terms for the policy-determining officials.

c. Selection of the experts through high-grade civil service tests; investigating education, training, and achievements by the aid of independent experts, appointing as a rule to the lower expert positions with promotion to the higher, though making original appointments to the higher where necessary.

d. Removal only after the publicity of an open hearing.

e. The right of the expert administrators, both individually and acting as a board, to have their proposed policies and budgets made public.

f. The final determination of appropriations and policies by the political side of the municipal government.

g. Where policies either detailed or general of the political side differ from those of the expert, the publication of the political policies before the expert is over-ridden.

h. With these preparations made, it is proposed to place in the hands of the permanent experts the control of municipal contracts, supplies, franchises, licenses, the enforcement of law and regulations, what patronage there may be, and all administrative details and discipline.

Where the separation of these wholly different functions is complete, as in England, Germany, and France, we see efficiency and honesty. Where these functions are mixed, as in America, we see waste and corruption.

By such a plan of separation we should secure:

A career for experts in municipal administrations;

Attraction for experienced men of high character and training;

A chance for promotion that will draw capable young men into the lower expert service;

Expert chiefs who would believe in enforcing the merit system;

Municipal contracts honestly and efficiently made and strictly enforced;

Clean streets and better security for the public health;

Getting a day's work for a day's pay;

More independent supervision and investigation by those in the political branch than if appointees were their own friends;

• A better system of public accounting;

Continuity of public works conceived on broad plans;

More definite fixing of responsibility between the political executive and the expert administrators,—all of which would tend to more orderly, efficient, and honest administration.

Mr. Dana's paper was in the nature of a report of progress to the National Municipal League, and concisely summarized the principal points of Mr. Brigham's brief prepared for the committee. This present address is designed to serve a similar purpose for the National Civil Service Reform League.

Curiously enough, the necessity for the selection and retention of experts in the municipal government has been seen and appreciated by some practical politicians before the average citizen or the reformer; because he appreciated how difficult and complex a problem the management of the city was coming to be and how necessary it was to have the important public services in charge of those who were thoroughly competent to perform them. To be sure, the practical politician has not been able to emancipate himself from the old order of things. He has urged the making of appointments upon the basis of political reward; but an examination of the rolls of the leading cities shows that to an increasing degree men in charge of highly important municipal bureaus have been retained for considerable periods of years and through many changes of administration. For instance, in Boston, in the assessing department, one assistant assessor has served 39 years, three 30 years, one 25, seven 20 years, six 15 years, ten 10 years; in the treasurer's department, one paymaster has served 29 years, and two paymasters 9 years; in the public works department, of thirteen engineers five have served 20 years, or over; four between 15 and 19 years; three between 10 and 14 years, and one 4 years. All of these engineers, by the way, were chosen under civil service rules.

In Buffalo, the deputy commissioners of buildings, of streets and of water have, each, been in office 8 years; a deputy commissioner of engineering 4 years; and the chief engineer of grade crossings, one of the most efficient experts in this line in the country, has held his place 14 years. The chief of the fire department has been 30 years in the department, and 20 years at its head; although the present fire commissioners have served 3 years, 2 and 1, respectively.

In Chicago, the city engineer has held office 13 years; the engineer of bridges, 5 years; the chief of the bureau of contagious diseases, 12 years; the chief of the bureau of sanitary inspection, 7 years; the deputy comptroller, 8 years.

In Cleveland, the mechanical engineer of the waterworks has a record of 18 years; the chief engineer of the waterworks has been 30 years in the service and 6 years

in his present office; the assistant city clerk served 18 years; the deputy city auditor a similar period; the inspector of police, the chief of the fire department, the health officer and the city solicitor each 10 years.

In Milwaukee, the assistant superintendent of fire alarm telegraph has a term of 15 years to his credit; the chief of police one of 30 years, his promotion from the ranks being a steady one; the assistant superintendent of police 10 years; the chief draftsman of the city 17 years; the engineer of the pumping station 12 years; and city bacteriologist 7 years.

In New York City the assistant deputy comptroller has held his present office for 12 years; the paymaster 25 years; the general superintendent of the street-cleaning department 19 years; and his assistant 18 years. Many of the assistant corporation counsel have seen many years of efficient service, running from 12 years to 25 years. The chief engineer of docks and wharves has held that position for 23 years; and the city superintendent of schools and his eight assistant superintendents, all experts, have served in the neighborhood of 10 years each.

These figures are taken from "The List of the Officials Who are the Real Experts in Each City" prepared by Mr. Brigham for the use of the committee. These instances demonstrate, if further demonstration is necessary, that it is feasible and is practicable for cities to select and retain experts in their service.

There is much more general agreement as to the necessity for selecting and retaining experts in city service than there is in the method by which this end may be achieved. Granted the need, we are told the competitive system is not a feasible one where experts are concerned. Experience shows that this contention is not well founded. The advocate of the application of the principles of the competitive system of selection of experts in the city's service, can point to the choice of Henry E. Legler, the distinguished librarian of the free public library of Chicago; to the selection of the fire chief of Greater New York in succession to Chief Croker; to the selection of the competent superintendent of streets in Chicago; and to the experience of Kansas City.



The competitive promotion examination to fill the vacancy made by the resignation of fire chief Croker, was considered by many civil service reformers as the most important competitive examination ever held in this country. Following the policy laid down by Mayor Gaynor early in his administration, that appointments to positions in the competitive class should be made from the eligible lists in numerical order, the examination resulted in the appointment of Deputy Chief Kenlon, who stood at the head of the list.

The *Kansas City Star*, which is the most influential paper in the Southwest, has just given a review of the operations of the civil service system in that city as compared with the old regime to determine how well the new one has worked. Bearing in mind that under the Kansas City law the head of every department excepting the auditor, city councillor, city assessor, purchasing agent and the elected officials is subject to its provisions, it declares that "The new plan shows a great increase in efficiency and economy of administration as compared with the former, when city jobs were doled out as a reward for political activity."

In the engineering department, the head of which was selected on the competitive basis, the cost of inspection has been reduced, as compared with the old political system, from 6.65 per cent. to 4.53 per cent. and the inspection is very much better and more thorough. Regular chemists and paving experts, examined for their fitness, now test all material used in paving or other public construction, instead of this being left in the hands of ward heelers selected because of their political services. The plumbing department, which cost the city heavily, now pays all its expenses out of the fees received.

"The system has been administered honestly, intelligently, impartially," says the *Star*, "without the slightest hint of political favoritism. The results of substituting men chosen because of their political influence have been as here outlined—an immense gain in economy and in efficiency. It is well that attention be called to the working of the system at this time, while the matter can receive fair consideration, before the heat of a political campaign when men's prejudices are aroused. Kansas

City has begun to conduct its municipal administrative business on business lines. Whatever may be the complexion of future administrations, public sentiment ought to be effective enough to prevent any return to the old conditions."

There is one phase of the problem which must not be overlooked. At the same time the city is planning to secure and retain experts in its service, it must provide the experts so selected with an adequate compensation, so that their present and their future alike will be assured. So long as there is so great a disparity between the salaries paid experts in public service and the sums which they can earn in the pursuit of their profession on private lines, there will always be difficulty in retaining experts in the city's service, irrespective of the guaranties of the law as to permanency. Moreover, public service must be made a public career, attractive to young men of parts; even though there may be, as there is likely to be, wide-spread difference of opinion among members of the two leagues as to the best method for selecting experts, and as to the provisions of the law for their retention in public service, the members of both the bodies can do a substantial public service through creating a public sentiment that will result in making public service more attractive to the coming generation of young men. Beginnings in this direction have already been made, and the outlook is far from discouraging; although the necessity for incessant activity on the part of every friend of sound public policy and more efficient government is greater than ever before.

# ORGANIZATION

OF THE

## National Civil Service Reform League.

### CONSTITUTION

[REVISED DECEMBER 13, 1900.]

#### ARTICLE I.

The name of this organization shall be the National Civil Service Reform League.

#### ARTICLE II.

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of civil service reform in the United States.

#### ARTICLE III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such Association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such Association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other society or organization to take part in any designated meeting of the League.

The Council may also admit, in such manner as it may prescribe, associate and sustaining members of the League. The annual dues for associate members shall

be five dollars and for sustaining members twenty-five dollars. Associate and sustaining members shall have the same status at the meetings of the League members of a Civil Service Reform Association.

#### ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any Association shall demand a vote by Associations, in which case each Association represented shall be entitled to one vote, which vote shall be cast by the delegates from such Association present at such meeting or by a majority of them.

#### ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

#### ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be chosen, and may be removed by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be *ex-officio* members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice-President may be filled by the Council until the annual meeting next following.

#### ARTICLE VII.

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

#### ARTICLE VIII.

There shall be an annual meeting of the League at such time in each year, and at such place as the Council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

#### ARTICLE IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.

## BY-LAWS.

[ADOPTED BY THE COUNCIL JANUARY 18, 1901.]

§ 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.

§ 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.

§ 3. The Council shall elect its Chairman and the Secretary, Treasurer and Assistant Secretary of the League, at its meeting next succeeding each annual meeting of the League.

§ 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made, during the year.

§ 5. The order of business at each meeting of the Council shall be:

1. The reading and correction of the minutes of the last meeting.  
And thereafter, unless otherwise ordered, as follows:
2. The admission of new Associations.
3. Statement of the Treasurer.
4. Report from the office of the Secretary.
5. Reports of Standing Committees.

6. Reports of Special Committees.

7. Miscellaneous business.

§ 6. There shall be the following Standing Committees to be annually appointed as the Council shall direct:

(1) A Committee on Finance, to consist of not less than nine members;

(2) A Committee on Publication, to consist of at least three members; and, *ex-officio*, the Secretary and the President of the League; and

(3) A Committee on Law, to consist of at least four members, and, *ex-officio*, the Chairman of the Council.

These Committees shall discharge the duties appropriate to their respective titles; vacancies occurring in any one of them may be filled by the Chairman of the Council.

§ 7. The following Special Committees shall be appointed as the Council shall direct, and discharged at the conclusion of the annual meeting of the League, next following:

(1) A Committee on Nominations, to consist of six members and, *ex-officio*, the Chairman of the Council.

(2) A Committee on Resolutions, to consist of six members, and, *ex-officio*, the President of the League.

These two Committees shall submit their reports at a meeting of the Council immediately preceding the annual meeting of the League.

(3) A Committee on Report and Programme, to consist of two members, and, *ex-officio*, the President of the League, the Chairman of the Council and the Secretary; a part of whose duty shall be to prepare, for consideration by the Council, the draft of the annual report required by Article VI of the Constitution.

§ 8. These By-Laws may be amended at any meeting of the Council by a unanimous vote of the members present, or by the vote of a majority of such members, provided that, in the latter event, notice of the contemplated amendment shall have been given in the call of the meeting.







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# PROCEEDINGS

AT THE ANNUAL MEETING OF

## The National Civil Service Reform League

HELD AT

MILWAUKEE, WIS., DEC. 5 AND 6, 1912

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

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1913

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*Office of the League.*

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# PROCEEDINGS

AT THE ANNUAL MEETING OF

## The National Civil Service Reform League

HELD AT

MILWAUKEE, WIS., DEC. 5 AND 6, 1912

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

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PUBLISHED FOR THE  
NATIONAL CIVIL SERVICE REFORM LEAGUE  
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# ANNUAL MEETING

## OF THE

### NATIONAL CIVIL SERVICE REFORM LEAGUE.

DECEMBER 5 AND 6, 1912

**P**URSUANT to a call duly issued, the Thirty-second Annual Meeting of the National Civil Service Reform League was held at Milwaukee, Wis., the 5th and 6th of December, 1912. The following delegates from Civil Service Reform Associations and Auxiliaries were in attendance during the several sessions:

**BUFFALO:** Francis Almy, Henry W. Sprague, Ansley Wilcox.

**CHICAGO AND ILLINOIS:** Robert Catherwood, Samuel Dauchy, A. S. Leckie, Herbert E. Fleming, William H. Tuthill, William B. Hale, W. B. Moulton, Joseph A. O'Donnell.

**INDIANA:** William Dudley Foulke, Harry J. Milligan.

**MARYLAND:** Charles J. Bonaparte.

**MASSACHUSETTS:** Arthur H. Brooks, Charles W. Eliot, Samuel Y. Nash.

**MASSACHUSETTS AUXILIARY:** Mrs. Charles W. Eliot, Miss Marian C. Nichols.

**NEW YORK:** Robert W. Belcher, George T. Keyes.

**NEW YORK AUXILIARY:** Miss Agatha Schurz.

**PENNSYLVANIA:** T. Henry Walnut.

**WISCONSIN:** J. R. Bradford, John A. Butler, Howard S. Eldred, Nelson P. Hulst, Glenway Maxon, F. C. Mock, Charles W. Norris, Lewis Sherman, Erich C. Stern, F. C. Winkler.

In response to invitations issued by the League to municipal reform associations and other bodies interested in the reform of the civil service, delegates were present from such organizations as follows

**BUFFALO CHAMBER OF COMMERCE:** Ansley Wilcox.

**CITY CLUB OF CHICAGO:** Joseph A. O'Donnell.

**CLEVELAND MUNICIPAL ASSOCIATION:** Mayo Fesler.



COOK COUNTY CIVIL SERVICE COMMISSION: Frederic Greer.

FT. WAYNE, IND., CIVIL SERVICE COMMISSION: Henry M. Williams.

ILLINOIS CIVIL SERVICE COMMISSION: W. B. Moulton.

MILWAUKEE VOTERS' LEAGUE: Joseph McBell, W. J. Bollenbeck.

MINNEAPOLIS CIVIL SERVICE COMMISSION: Karl De Laittre.

NATIONAL LEAGUE OF POSTMASTERS: W. S. Bartholomew, Charles O. Barry, W. O. Bock.

NEW YORK STATE CIVIL SERVICE COMMISSION: H. N. Saxton.

WISCONSIN STATE CIVIL SERVICE COMMISSION: C. E. Buell, F. E. Doty, H. S. Knight.

WISCONSIN LEGISLATURE: C. S. Hood.

WISCONSIN STATE LEAGUE OF POSTMASTERS: Alexander Archie.

## MEETINGS OF THE LEAGUE.

The headquarters of the League during the meeting were at the Hotel Pfister, corner of Wisconsin and Jefferson Streets, Milwaukee. The proceedings at the sessions of the League, commencing on the morning of December 5, were as follows:

### FIRST SESSION

Red Room, Hotel Pfister,  
Thursday morning, December 5.

**T**HE League convened at 11.00 a. m. President Eliot presided.

The minutes of the last Annual Meeting having been printed and distributed, their reading was omitted.

Hon. Gerhard A. Bading, Mayor of Milwaukee, delivered an address of welcome,<sup>1</sup> to which President Eliot made response.<sup>2</sup>

Hon. Charles J. Bonaparte, Chairman of the Council, then read the report of the Council.<sup>3</sup>

The following reports from Auxiliaries and Associations composing the League were then read:

**Hon. Francis Almy submitted the report from the Civil Service Reform Association of Buffalo:**

On behalf of the Buffalo Reform Association I would say that the condition of the civil service in Buffalo at present, while distinctly good, is far from being satisfactory.

The work, of course, is under an excellent state law, and under the supervision of the civil service commission. We have a good set of local rules and regulations, under the state law, which have recently been very thoroughly overhauled and revised by a committee of which I acted as chairman.

We also have an unusually large proportion of the city offices included in the classified service—I think

something like 95 per cent.—and reaching up to the high positions in the city law department, and to all the positions in the city hospitals in the health department, for instance—everything in fact except the health commissioner and one secretary exempt by the state law.

Yet we all know that good laws, and good rules and regulations are not sufficient to get good results without good men behind them; and our present civil service commission in Buffalo, appointed mainly by the present mayor, may perhaps be euphemistically described as uneven. It is an unpaid commission, and the politicians until recently have not been anxious for places on that unpaid commission; but in the last few years they have found that it is nevertheless a good commission to be on, for purposes of what they call "influence."

We still have in Buffalo, a city of nearly 500,000 souls, an unpaid commission of 7 members, with an inadequate office force, with one inadequate secretary, and two clerks. All examinations in Buffalo are conducted by the commissioners themselves with the exception of the employment of a few paid experts for a few technical departments, including the police department and fire department. They also employ a large paid corps of doctors, oculists, dermatologists, etc., for special examinations; but all the other examinations are made by the commissioners themselves. They make out the papers and mark them; and I have known on more than one occasion (and I served on the commission three or four years) that entire commission to sit up till 2 or 3 o'clock in the morning, marking the papers of the police department examinations, work which almost any honest teacher could have done for them and done better.

Moreover, the commission being unpaid, its personnel changes frequently; and we lose the cumulative experience which comes from repeated conduct of examinations.

Moreover, with an unpaid commission, one cannot criticise the work as one would that of a paid commission.

The state commission has made two or three vigorous attempts to obtain in Buffalo a paid examiner, an ade-

quate office force, and thereafter a smaller and paid local commission. Our local Civil Service Reform Association under the leadership of Mr. Wilcox, our president, has vigorously aided, abetted and instigated that work; but the commission itself gives only a half-hearted support to such improvements, and the mayor gives not more than a quarter-hearted support.

We can hardly hope for any real improvement in Buffalo until we have a new mayor, for he is directly responsible for the caliber of the local commission. His is a four-year term; and there is a year of the term to run.

We hope after the expiration of another year to have a more satisfactory report.

**Mr. Herbert E. Fleming submitted the report from the Civil Service Reform Association of Chicago:**

Recognition of the fact that the same pressure for patronage which leads spoilsmen to oppose enactment of civil service laws, leads them to try to get over, under, around and through these laws, has been a guide to much of the work of the Civil Service Reform Association of Chicago this year as it was last. Perception of this survival of pressure for spoils even under the civil service law has led the Association to constant battle against violations and evasions. Such work was all the more important in Chicago this year because of a peculiarly heavy election calendar and because of the series of exciting national conventions held in that city.

The only powers possessed and used by the Association in this defensive work are the power to investigate facts unofficially, the power to petition civil service commissioners, other administrative officials and the courts; and, above all, the power to petition the public, through submitting news-statements to the newspapers of the community, and thus to bring into play the force of public opinion.

A year ago our Association was in the midst of its fight against the undermining of the Cook County civil service law and charities service by Peter Bartzén, then president of the county board. On information by the Association, the chief examiner of the county civil service

commission had been arrested, charged with obtaining money under false pretenses through charges for overtime work on occasions when he was out of town and elsewhere, participating in political meetings. When this case finally came to trial in March he was found not guilty, the outcome emphasizing the difficulty of securing convictions in cases in which the false cry of "politics" may be used before a jury. Meanwhile, the arrest in this case had shown the county officials that the Association meant to act in drastic fashion.

In the civil courts five days after the League meeting last year, in a case brought by the Association, one Democratic judge made perpetual the temporary injunction granted by another Democratic judge restraining payment of county funds to a notorious Democratic politician illegally appointed chief food examiner by Mr. Bartzen. This injunction practically put a stop to arbitrary disregard of the law as to appointments.

Abuses by Mr. Bartzen as to removals were taken up. These included the arbitrary "firing" of attendants and others in the charities service. Thirteen affidavits of witnesses in some twenty cases involving threats and coercion forbidden by the civil service law were submitted to the state's attorney, who, however, did not act on them, partly because he had not yet secured his appropriation from the county board.

In January the Association secured a written statement from a county civil service commissioner giving, from the inside, details of alleged manipulated examinations and of an alleged conspiracy to misuse the commission's investigating power to bring about the removal of a chief probation officer, to make a place for a favorite. The Association had photographs made of some of the examination papers in question. Special counsel for the Association laid the statement before an assistant of the state's attorney, designated by the latter. When several days passed and no action was taken, the statement was made public,—a full-page exposé in the Sunday papers. Mr. Bartzen retaliated by filing charges in civil proceedings looking to the removal of the civil service commissioner who had made the statement. The

commissioner resigned and public attention was centered on the state's attorney. He then ordered an investigation. From January 26 to February 3, one of his assistants interviewed thirty-eight persons called to his office, including many under fire on the exposé. Nothing came of this in the way of prosecutions. However from that time on, Mr. Bartzen gave repeated orders that the civil service law should be respected. A new commissioner was appointed and there was improvement in the administration of the law.

However the chief effect of this fight and its attendant exposures to the public came months later, in the November campaign over the election of president of the county board. Mr. Bartzen ran for re-election on the Democratic ticket. One of the issues in the campaign was his bad record on civil service. Running against him was Mr. Alexander A. McCormick, a leader in many good civic causes, who in years past was president of the Civil Service Reform Association of Chicago. Mr. McCormick was elected and is now serving as president of the county board. As the Association said in a press statement after the election: "Peter Bartzen's crushing defeat in the face of a Democratic landslide shows, among other things, the fact that no politician in a big office can ruthlessly trample on the civil service law and survive."

Last spring the Board of County Commissioners endeavored to evade the civil service law by creating new positions with a so-called casualty appropriation, when as a matter of fact there was no casualty. The civil service commission refused to certify payrolls based on this appropriation and the Association upheld the commission in that stand.

During the summer the Association investigated the case of a Republican ward "boss" and member of the county executive committee,—a "midnight appointee" in the state service, who had been appointed clerk of the board of pardons and secretary of the board of parole just before the new state law went into effect, and was thus "blanketed" into the service. It was found that he had continued his conspicuous political activities despite

the prohibitions of the state commission's rule, also that he had neglected his duties in the penal and reformatory service. The Association filed charges against him with the commission and the case was set for hearing, but the man under charges resigned from the service. The commission has called a competitive examination to fill the position on the merit basis.

In the early autumn the Association investigated the case of a public-school engineer seeking temporary appointment as chief engineer of the board of education as a reward for political services to the mayor. By a petition to the board, the Association headed off this temporary appointment, which had been recommended by a sub-committee and was expected to give the school engineer involved an inside track for examination for permanent appointment and opportunity to build up a machine by control of the 260 school engineers and their subordinates. This engineer was so disappointed when the board of education complied with the Association's petition not to appoint him that he indulged in misconduct in the board rooms for which, after a trial, he has since been reprimanded by the board and suspended for fifteen days.

A year ago we reported that we were conducting a case in the appellate court involving evasion of the city civil service law, to bring about the reinstatement of a ward "boss" who had been duly discharged from the service by the civil service commission. The evasion involved a misleading return to a court and apparent co-operation between the discharged employe and the corporation counsel, both of whom had been active in the mayor's election. The Association through one of its officers as a taxpayer endeavored to perfect an appeal begun but abandoned by the corporation counsel. The appellate court denied a taxpayer such right. The Association took the case to the supreme court. That tribunal also denied the right of a citizen to step in to prosecute a case abandoned by the city legal department. This is to be regretted as the Association was prepared to act in other similar cases of reinstatements made manifestly as political rewards after a change of administration.

The Association has steadily opposed the abuse of the sixty-day appointment, as illustrated in the following case. During the year one man in a higher municipal office received his sixth successive sixty-day appointment, and thereafter passed an examination and secured permanent appointment to the position. Last year the Association made public protest on account of this farcical arrangement for a year of "temporary" appointments. This year the press has repeated such criticisms in recording these repeated sixty-day appointments.

Our city and county situations are unfavorable in one respect, as contrasted with the situations in the federal, state, and south and west park services. The city and county commissions, despite petitions from the Association, have declined to adopt rules forbidding conspicuous political activity such as the rules in the other services mentioned. Consequently city and county employes are under special temptation to acquire and use political influence.

The United States civil service commission is now investigating alleged breaches of the federal civil service law and rules in Chicago. This investigation was brought about by a communication from our Association to the Commission.

The Association made protests to Congress and the press against the limited tenure legislation by Congress designed to undermine the federal civil service law, arranged through the City Club committee on civil service, for a public meeting of protest chiefly by prominent democrats of Chicago, and was one of the organizations sending a petition to the President to veto the bill containing the limited tenure riders.

Our Association received from former Secretary Goodwin of the League a request that it work in Chicago for the adoption of a strong civil service plank by the Republican national convention. Sub-committees of the Association carried on much work of this character through publicity, personal interviews with leading delegates and appearance before the resolutions committee of the convention. We did similar work at the time of the Progressive party convention in Chicago. We also



took part, through correspondence and personal work by members of our Associations going to Baltimore, in the efforts to secure a civil service plank from the Democratic national convention.

During the year a sub-committee of our Association appointed at the informal suggestion of members of the Council of the League has worked on the draft of a proposed comprehensive and adequate federal civil service bill.

Concerning extension of the merit system within Illinois, the Chicago Association has co-operated with the Illinois Association in the pre-primary and pre-election campaigns and is taking part in the bill-drafting work to that end.

To co-operate with civil service commissioners in promoting constructive work and uniformity of administration but to remain free to exercise its function of criticism, the Association last May brought together civil service commissioners from seven jurisdictions and suggested that they organize the Civil Service Round Table. This they did, the organization being an informal one, controlled by a directing committee of commissioners and including in its membership members of the Association, officers of civil service employees' organizations, and others interested in the subject. The Civil Service Round Table meets on the first and third Tuesdays of each month and has discussed, among other topics: "Minutes of a Civil Service Commission," "Examinations: Publicity and Character Investigations," "Municipal Efficiency," and "Removals and Individual Efficiency Records."

In the city service many removals of police officials for inefficiency were the notable outcome of the police investigation. This was the application by an official body of an interpretation of the investigation section of the law given by the Association in 1909 and followed up with assistance to the commission by the Association in securing the appropriation for establishing the efficiency division of the commission. The division, manned by experts, has done much work this year. A report on waste and worse in the building department was especially valuable. The commission brought about the passage

by the city council of an ordinance to prevent employes from lobbying for individual salary advances.

Under a section of the civil service law for the park systems requiring the civil service board for each system to prescribe maximum and minimum pay, and report on those paid more or less, the boards of commissioners of the south and the west park systems have turned over to their respective civil service boards, entirely, the matter of fixing salaries. In this work these boards received assistance from the Association.

Early in the year heads of county departments,—the treasurer, the county clerk, the board of review and the assessors,—and the county civil service commission called the president of the Association, Mr. Robert Catherwood, into conference over questions of lay-off, transfer and leave of absence, affecting county employes coming under the law through the so-called blanket clause. Subsequently the Association aided the county commission in drafting a rule on this subject and backed the commission in standing by the rule. The rule was attacked in the Superior Court but its validity was there sustained.

Since then a suit, presumably by the employes who had attacked the rule, was brought attacking the constitutionality of the county law. The case was dismissed by the superior court, the judge stating that it was one for the supreme court. An officer of the Association has been appointed by the Association to aid the authorities as counsel in further proceedings over the constitutionality of the county law.

The Association has received at its office and the offices of its members from civil service employes in the various services many complaints and inquiries as to their rights under the laws and the rules, and has endeavored to give them the information desired. It maintains friendly relations with civil service employes' organizations, such as an organization of the employes of the state service under the civil service law which was perfected in August.

This report may in a measure indicate the immense work falling to the lot of our Association on account of

the scope of the various civil service laws operating in Chicago.

In general propaganda, besides the publicity work in the campaigns and on petitions in various cases, the Association has done something, although it has not yet carried out Miss Jane Addams' suggestion, in *The Survey*, that the friends of the civil service law should somehow dramatize for the public the benevolent aspects of the merit system as an agency of real service. We supplied to a committee on the short ballot material on the need of using up-to-date civil service methods for selecting ministerial officials to be removed from the elective list. Some of this data appears in a pamphlet issued by the City Club. We secured for the Chicago Association of Commerce the privilege of hearing, yesterday after luncheon, an address on Civil Service Reform, by President Eliot,—an address which will greatly aid the cause among Chicago men.

**Mr. A. S. Leckie submitted the report from the Civil Service Reform Association of Illinois:**

Defense of the constitutionality of our new state civil service law and a state wide campaign for its thoroughgoing extension have been the main work of the Illinois Civil Service Reform Association during the year. This has been carried on to follow up and round out the work of the Association in 1910 when we led in securing an advisory vote of 411,000 to 121,000 from the people of Illinois in favor of "comprehensive and adequate" civil service legislation, and in 1911 when we assisted the General Assembly in the enactment of the new law for the state service and the Cook County and Chicago parks laws, extending the merit system all told to some 6,000 positions formerly under the spoils system.

The new state law, carrying the civil service regulations into the statehouse at Springfield to touch quite a portion of the positions there, went into effect on July 1st, 1911. It contained a vicious amendment secured by a lobby of state officers exempting "clerks and watchmen." The state civil service commission wisely gave a strict ruling that an employe must really be a clerk or a watchman to be exempt. Soon, in the name of employes

who were not strictly clerks and at the behest of one of the state officers who had opposed the comprehensive bill, there was brought a suit attacking the constitutionality of the law. The case went directly to the Supreme Court of the state, its highest tribunal.

The attorney general had been a leader in the state officers' lobby against the comprehensive legislation and had aided in securing the hostile exemption amendment. However, he requested the Association to secure a friend of the law as special counsel to defend its constitutionality and this Association was fortunate in securing the services of Mr. Edgar A. Bancroft, eminent both as lawyer and civil service reform leader, as principal counsel in the case. Mr. Bancroft's "Reply for Defendant" should have a high place in the legal literature of this cause. The case was argued before the supreme court on December 18 last year. On February 23, this year, the court rendered its opinion and declared the law constitutional. Four of the justices voted for it, and three against it. About two months later one of the four rendered a specially-concurring opinion, to the effect that the law could not apply to employes performing duties required by the constitution, expressly or by implication, of the elective officers above them, as distinguished from duties required by legislative enactment. While this is a little disquieting, the main fact which stands out is that the Illinois supreme court has declared the state law constitutional. The Court, in the course of its opinion said of the law:

It is based on the principle that positions in the public service are not the personal or political perquisites of any officer or party, and ought not to be divided, after a political campaign, as so much loot of actual warfare, but that competency, merit and fitness ought to be the standard for all appointments or promotions in the public service. That principle is not out of harmony with the general spirit, any specific provision or any implied doctrine of the constitution of Illinois.

The decision gave impetus to the Association's pre-primary campaign, one object of which was to commit candidates for the General Assembly to work and vote for bills to fill the gaps left in the civil service legislation

of 1911. In the month before the direct primaries held on April 9th we carried on correspondence with 1,053 candidates for nomination for public office, 741 of them for seats in the General Assembly. To the legislative candidates were sent letters giving the popular vote in their respective districts for comprehensive legislation, and a statement of principles, or pledge-form, addressed, not to the Association, but to the voters of the candidates' respective districts. This pledged its signer to work and vote at the sessions of the next General Assembly for extension of the civil service laws, as follows: (a) To statehouse clerks and watchmen, (b) to employes of the General Assembly, (c) to attorneys in appointive positions in the state service, (d) to the employes of the municipal court of Chicago, and (e) to the employes of the sanitary district of Chicago; also to work and vote against weakening or repealing the existing civil service laws, and to give support to their enforcement in spirit and in letter.

Simultaneously this was sent to the press of the state and published widely in the news columns, stimulating candidates to take notice of it. Their replies and also details of the civil service records made in 1911 by legislators seeking renomination this year were included in reports submitted to the newspapers of every district a week prior to the primary elections. These details included not only voting records made on the fifteen house roll calls and nine senate roll calls on civil service, but also working records made in the lobbies, in committee and on the floor of the legislative halls. The reports rated the legislators on civil service "Excellent," "Good," "Fair," "Poor" and "Bad," according to the facts in each case.

In the primaries of April 9 several conspicuous legislators were defeated for renomination directly and chiefly because of the Association's exposure of their bad civil service records. Of the candidates nominated at that time for the General Assembly, a majority gave promise by their records or pledges to voters, of working and voting for the civil service programme of 1913.

Many additional candidates for the legislature came

into the field by petition prior to the general election of November 5. In the pre-election campaign new letters and the pledge-form were sent to these new candidates and to those of the April nominees who had not been heard from or who had not made strong statements favorable to civil service legislation. In all there were 452 candidates for the General Assembly at the November election. A press statement that in this year's unusual competition for seats in the General Assembly, this work was being carried on by the Association, was published throughout the state and followed by editorials in many of the newspapers calling on the candidates to declare themselves on civil service. A few days before the election final reports on the responses and records were submitted to the public, through the press, to which we owe a vote of thanks.

The result of the two campaigns is that a majority of the state legislators recently elected, as well as a majority of the hold-over senators, is favorable to civil service legislation. Of the 153 elected to the House, 102 are favorable, including sixty-nine who are very favorable. Of the 51 members of the Senate, elect and hold-over, forty-two are favorable, including twenty-four who are very favorable. Moreover, the Democratic, Republican and Progressive party state platforms contain encouraging civil service planks.

This month a bill-drafting committee of lawyers in our forces has been appointed. This committee and its sub-committees on state, sanitary district and municipal court services, are at work preparing civil service bills to be submitted to the General Assembly when it convenes next January.

Correspondence with candidates for administrative office, as well as legislative, and attendant publicity work, were carried on by the Association in both the pre-primary and pre-election campaigns. Questionnaires were sent to the candidates for governor, lieutenant-governor, secretary of state, auditor of public accounts, state treasurer and attorney-general. Besides appropriate questions on the legislative programme, they were asked specific questions as to enforcement of the laws suggested by

the duties and opportunities of the respective offices sought.

For example the candidates for governor were asked if they would appoint as civil service commissioners only men of character, known to be in sympathy with the civil service law and qualified to enforce it honestly and efficiently; if they would safeguard the independence of civil service commissioners, despite political, partisan, factional or personal pressure; if they would make temporary appointments only when absolutely necessary; if they would stand against evasions as well as violations of the law, and if they would favor aggressive enforcement of the efficiency sections of the law. Hon. Edward F. Dunne, the Governor-elect, signed with an unequivocal "Yes" his favorable answer to each question and returned the statement promptly with an appropriate letter. Since then he has given both private and public assurances that he stands for "honest civil service." Mr. Brady, Auditor-elect, Mr. Ryan, Treasurer-elect, and Mr. Lucey, Attorney-general-elect, sent categorical replies giving unqualified assurances that they will work for the extension of the civil service laws and uphold and enforce them in letter and in spirit; Mr. Woods, Secretary-of-State-elect, sent a favorable letter; Mr. O'Hara, Lieutenant-Governor-elect, was not heard from.

In conclusion it should be stated that during the year the state civil service commission, under the presidency of Hon. Wm. B. Moulton, who was given a free hand by Gov. Charles S. Deneen, has done excellent work in so enforcing the law as to secure respect for it from the employes, the politicians and the public; particularly through demonstrating the practicability of competitive examinations for entrance, including tests of fitness for higher positions; by watchfulness under the sections of the law calling for efficiency investigations leading to elimination of useless positions; and by enforcement of the political activity rule.

The next year will be one of severe test for the law, because of the recent political turnover through which the Democratic party for the first time since 1896 has dis-

placed the Republican party in control of the state government. But we believe it will stand the test.

**Mr. H. J. Milligan submitted the report of the Civil Service Reform Association of Indiana:**

The millennium has not reached Indiana yet; I do not know whether it will come by way of Chicago or not, if it does come. I do not think Satan is as active there as he is in some other parts of the country, but he is not entirely in restraint.

I do not think that the public men of Indiana who are in politics, care very much about civil service. I went with Mr. Swift to see Governor Marshall, who has been elected Vice-President; and while the Governor is a personal friend of mine, I having spent four years with him in college, I found that his knowledge of civil service was not on a par with his knowledge on many other highly important subjects; and I see nothing to indicate that any of the men who aspire to office in Indiana are very much concerned on this subject. But that the people of Indiana, as represented by their clubs and business associations, are very much interested in this subject, there is ample evidence. Even Mayor Shank—I don't know whether he is a household word in Wisconsin or not, I think he is in New York, because he was called to New York to instruct the people of New York how to break up the combinations in potato selling, etc.—but Lew Shank, Mayor of Indianapolis, has adopted civil service rules for admission to the fire and police department, and that too, of his own motion; that is to say, he was not compelled to do it by any statute. This act on his part however, was inspired very largely by those who were interested in a lower insurance rate in Indianapolis; and they could get that by a more efficient fire department, and they get a more efficient fire department by having firemen selected on the merit system. Now that is one indication that in spite of the fact that the leaders so-called, in politics, pay very little attention to the merit system, the people are vitally interested in it.

There has been another indication, that in Fort Wayne, Ind., a manufacturer has assumed the responsibility of having prepared a new law for the government



of cities, modeled on the German system. It is called the business method of governing cities. In the preparation of that statute a number of gentlemen of my acquaintance were called in. I was among them. The significant thing about that is that it provides complete civil service regulations, so that admission to all positions will be through the merit system.

Indiana is moving, not with the rapidity of a whirlwind, but rather with the rapidity of a glacier. But surely, I think, ultimately, some time, it will adopt a legal civil service system.

Having attended all the meetings of the League for many years, I was much impressed with the campaign of education that is being waged, particularly in Massachusetts and New York, by the ladies, and I wondered, sitting here, whether we should not have prepared a short pamphlet or tract on the subject of the merit system, which could be sent broadcast. I find in talking with many good men of intelligence that their ideas on this subject are very crude; they are very hostile to what they call a permanent office-holding class, and a great many of these subjects that we think we thoroughly understand and comprehend; and the objections which they raise, while not vital, do stand as objections in their minds; and it seemed to me that some literature in very brief or condensed form might be prepared and furnished, which could be sent abroad.

**Hon. Charles J. Bonaparte submitted the report of the Civil Service Reform Association of Maryland:**

Time continues its bad habit of flying, which it used to have when we used to translate that phrase into Latin, and I suppose that brevity would be regarded as a merit at the present moment.

If I were to limit myself to saying what has been done by the Civil Service Reform Association of Maryland since the last Annual Meeting of the League, I think I should reduce the report to a single word, which would be "nothing;" although that would be perhaps a little unjust because we have kept up a somewhat laborious inactivity which has had a certain moral effect.

As a matter of fact however, there have been some

rather curious and more or less instructive developments in Maryland since the last meeting of the League, in which, while the Civil Service Reform Association as such has had but little to do, some of its members either as such or in connection with other organizations have had on the whole a good deal to do.

At the time of the last annual meeting of the League we were just anticipating the meeting of our General Assembly which met under very peculiar circumstances. For the first time in a great many years we had a Republican governor, and at the same time Democratic majorities in both houses of the General Assembly, and in one of them a large enough majority to pass anything necessary over the governor's veto. In the other there were just two members too few of the Democratic majority to effect that result.

The natural remedy for that to the statesman of Maryland of times past, would have been to unseat two of the Republican members and fill their places with the faithful; and that was what it was thought would be done, at first. However, there has been a great deal of independence—although one would not know it always on the surface—there is really a strong independent element now in the electorate there, and, partly owing to that fact, and partly to great dissensions in our ring, that simple method of dealing with the situation was not resorted to; and the result was, a session which in many respects was a very marked improvement over any we have had recently.

For example, we did not have, as we had had in all recent legislatures in Maryland, the privilege of having the largest and the most utterly inefficient body of legislative attendants that any other state in the Union could furnish. During the session before the last one, it had been a source of great difficulty to the statesmen to find titles for the employees. They called them door-keepers, but there were so many more door-keepers than there were doors that they had to have their assistants and second assistants and deputy door-keepers, I believe. They had a flag raiser who was paid five dollars a day for raising the flag, no other employe being able to spend

the five minutes necessary to do that; they also had an assistant flag raiser who was to look on while the flag raiser raised the flag. But approximately everything of that sort was cut off or greatly reduced at the last session.

Moreover there was a gentleman who was selected for the position of state auditor, a new position that had been established not very long ago, and which it was supposed by some persons would be of considerable benefit in the supervision of the state finances. This gentleman was discovered after he had been elected, and when I say elected, he was not elected by the people, but was elected by what we call the board of public works, which consists of the governor, the comptroller, and the treasurer. The comptroller and treasurer were Democrats, and they put in a Democratic politician on this occasion, and this gentleman made the mistake of attempting to bribe a Republican member of one of the houses, to vote against the local option bill, which was one of the matters that has complicated politics there for some little time past. Being of different politics from the statesman, this virtuous legislator gave it away; and it was vehemently denied by the incriminated statesman that any such conversation had taken place; but it so happened that the conversation had taken place in very close proximity to one of the female stenographers of the House, who had overheard it; and her testimony, although it was followed by her own immediate dismissal, for telling, nevertheless occasioned so much hostile criticism, with an abortive criminal prosecution of the statesman involved, that he lost his position as state auditor, for the somewhat singular reason that he was too much occupied with other matters to take the oath of office within the time prescribed by the constitution; and thereupon the board of public works refused to reelect him. The case went to the court of appeals to determine whether that really disqualified him; and they decided that it did, and we have been getting along since then without any state auditor, as they have been unable to agree on whom they shall put in place of this gentleman. As far as I can ascertain we have got along

quite as well without one as if we had the particular one that they chose.

We have had two successful years of very active politics in our part of the world; our rulers had a striking lesson from the people in the defeat of their candidate for the governorship; and that certainly resulted in a very great improvement in the general tone of politics, of public administration and of public opinion in Baltimore and in Maryland generally.

At that time we were about to have considered by the legislature a new city charter that had been prepared by a board appointed by the late mayor of the city, and about which I said something at the last meeting of the League. This charter contained a very thoroughgoing civil service reform feature which had been prepared by gentlemen connected with our Association. A rather strenuous attempt was made by the politicians to get the new charter passed with the civil service provisions left out. The new charter had the effect of considerably increasing the powers of the mayor. After its preparation we had elected a spoils mayor, a mayor who might be regarded as going back to the stone age in politics; and without the civil service reform provisions there was no doubt at all that the other provisions of the charter would have put us considerably farther back instead of its being an advance. That attempt, however, was defeated and the charter finally passed both houses of the legislature with a provision for its submission at a special election to the voters of the city.

At that time there was a considerable difference of opinion among the friends of civil service reform as to whether it was better to let the charter go through and let it be voted upon by the voters of the city as it was, or whether, in view of the fact that we now had a Republican governor and that we were going to have tolerably fair officers of election, so that there probably would be at the next legislature a chance for the election of a general assembly, that in some measure represented the views of the people, it might be better under those circumstances to drop it for the time being and take it up as a new proposition in the new legislature. I

personally was in favor of the former plan; but the gentlemen of the commission who had prepared the new charter, and who were all very old and tried friends of civil service reform, and whose opinion was undoubtedly entitled to a great deal of weight,—concluded that it would be wiser to try if they could not get a still better measure from the next legislature; and at their request the governor refused to sign the bill. While, perhaps, they could not very well foresee the political developments of the past year, nevertheless I am rather afraid that they may have some reason to think that they tried to be too far-seeing in doing that, and that it is somewhat doubtful whether the result will be as satisfactory as we had hoped to have it.

One incident which may be of some little interest to this League in regard to the new situation is that the governor appointed an entirely different board of state aid and charities from any that we have had of late years. I am unable to say that it was an improvement, because he made me the president of the new board. In some other respects it unquestionably was an improvement over the boards that previously existed. It is the duty of that board to make a report to the legislature on all establishments, either public or private, for which the state makes any provision. The language of the law is extremely broad, but it is generally interpreted as applicable to charitable or correctional institutions and some classes of educational institutions. It is capable of being made a very important body, and a body that would be a source of great annoyance to some of the institutions affected.

This board has to elect one officer, that is to say, its secretary, and we determined to elect our secretary by a competitive examination. So the various candidates who applied for the position, very much to the surprise of nearly all of them, were invited to submit themselves to an examination of that sort, and were examined by three experts that were kind enough to come on, who were at the time, or had been, secretaries of boards of the same kind in other states, who came on to Baltimore for the purpose, and acted as an examining board. As a result of the examination they recommended to us and we

elected a gentleman whom I had never seen, and possibly only one member of the board knew anything about him at all. But he has turned out to be a very efficient representative.

It was a source of great disappointment to the defeated candidates, and one of them wrote us a letter in which he explained that he was very much astonished at the way he had been treated. He said the governor had let him understand that he had arranged that he should have that place, and he thought that evidently the only thing to be done was for the governor to immediately appoint a new commission, which course commends itself for its absolute simplicity and would probably or might possibly have resulted in the commission getting the benefit of his services.

On the whole there is one thing which I can say about Maryland, and that is the politicians are in a state of very salutary confusion of mind and uncertainty as to the future with regard to all matters connected with good government. They have been shaken loose from their old moorings, and time honored customs by which everything was determined at the ballot box, as of course it ought to be in a self-governing community; and what was to be found inside of the ballot box was always determined long in advance by those who controlled the ballot boxes. That situation of affairs has been entirely done away with, for the moment, at all events, and our politicians have lost their bearings. They have been cast loose from their moorings, so to speak, and it is very difficult to say just what will happen in the immediate future.

Just at the present time we have no dissatisfied Democrats in Maryland. A very large part of them are trying to make up their minds whether they will be secretaries of state or ambassadors, or what other offices they will consent to occupy; and that method of reflection is generally conducive to self complacency—as long as it remains a matter of reflection only. But the Republican politicians in Maryland are in a state of complete stupefaction. They do not know where they stand. In fact they remind me very much of what Lord Chesterfield

said of himself, that he had been dead for the past three years, but he did not want it to be generally known.

But out of the uncertainty the one thing that seems to be very clear is that the principles of good government and the principles of this League have become practically the important factors in the political life of the state.

When I was a young man I should have regarded that as pretty nearly a hopeless situation, a mirage of the imagination and it convinced me how very old I must have got since it had actually come to pass.

**Mr. Henry W. Sprague submitted the report from the Buffalo Women's Civil Service Reform Association:**

The Women's Civil Service Reform Association of Buffalo with the co-operation of the Men's Association has continued its work of education. This report is a repetition of those of former years, but the associations know that to persist year after year is the way to accomplish results, and as the number of citizens who have been taught the principle of the merit system increases the good effect of such teaching will be seen.

To every pupil in the eighth grade in the public schools, in many of the private and parochial schools—and in the senior classes of the high schools has been given the "Primer of the Civil Service." The number given away this year is 4,979. In addition more advanced reading has been sent to the high schools, while the study of the merit system has been taken up in the civics, history, and literature classes. The pupils in the literature classes who have written essays on the merit system in competition for the Municipal Honor Medal, now number nearly 1,500.

In February of each year the social gathering is held, to honor the memory of George William Curtis, while late in the spring is the presentation of the Municipal Honor Medal.

In Buffalo we now have the interest and assistance of the teachers and principals and the department of education.

Just a word in amplification of this report. The theory of the work of the Women's Association in

Buffalo is that the advancement in the knowledge and interest in the merit system must come up from the younger generation; in other words, that the feeling that the merit system is the only proper and democratic system, and that the spoils system is in opposition to that in every respect, must become known to the younger generation, and it must be part of their school curriculum, and that therefore, in course of time you are going to have the entire people in favor of the merit system.

With that in view great attention is being paid to the teaching of this matter in all the schools. We have even got the parochial schools—the Catholic schools—to take it up and make this subject a part of the curriculum.

Then these women, with Miss Truscott at the head, go to the schools with these pamphlets, visiting every school in the city in the course of the year, and see to it that these pamphlets are distributed.

Then this medal giving is interesting—and I think it has been talked of here before—but every year Miss Truscott gives a medal to the pupil in the high school who writes the best essay on civil service reform. As you see, up to date 1,500 essays have been written by the children in Buffalo, in competition for this medal. Now we who are interested in the reform, get together at the time the medal is given at the high school, and we have a little ceremony connected with it. We get some man from outside who thoroughly understands the entire system, to make a speech. The winner of the prize reads his essay, and the children listen with deep attention; and I think the mere fact that the presentation of the subject comes from one of them, has more influence on them than perhaps if it came from an outsider.

In conclusion, I would simply say that for many years, —whether it is since Mr. Curtis's death, I don't know,—it has been our custom to pay tribute to his memory on his birthday, by a meeting where we get together as many of the school children of the city as we can, and where selections are read from his works, some of his great essays, and where somebody who has known him tells about him and about his work, and what he has done; and where we try to impress upon the children the beauty and



nobility of his character, his high ideals and the great disinterested work which he has done for the country in politics, and especially in civil service reform.

**Miss Marian C. Nichols submitted the report from the Women's Auxiliary of Massachusetts:**

During the past year the Massachusetts Auxiliary has increased its membership so that it now numbers nearly 1,100 members, representing 50 cities and towns. It has also gained one new branch in Dedham. The branches are most important factors in both the educational and the legislative work. Each branch has, however, developed its activity along special lines. In Boston an effort was made to gain new members through a series of house meetings at which the President, Mrs. R. C. Cabot, spoke on the patriotic value of civil service reform and the secretary told of the practical work carried on by the Auxiliary. The Brookline branch has been specially successful in annual competitions for the bronze medal held in several of the grammar schools. Every pupil in the eighth grade writes an essay on the merit system and the children show great interest in the work as well as an excellent understanding of the subject. The Cambridge branch held, as usual, three well attended meetings for its members, and last winter offered a prize for the best essay on civil service reform open to young men in the Prospect Union. The newly formed Dedham branch held one public meeting addressed by Mr. Charles Warren and arranged for Mr. Warren to speak to the pupils of the high school and the upper grades of the grammar schools in Dedham and Westwood. One hundred and fifty boys and girls entered a competition for the medal, and two of the essays were so good that a second medal was awarded. The State Council, which brings together three times a year representatives from the branches and the executive committee, met in the spring with the Newton branch. In Lynn and in Waltham the branches held study classes and meetings for their members, and the Salem Branch conducted a class in current events. The Springfield and Worcester Branches offered the medal in competitions open to students in the high schools, and the latter

arranged for a New Voters' Festival. The Worcester branch has published revised editions of its two Outlines, one for the "Study of Civil Service Reform," and the other for the "Study of Municipal Government and Its Relation to Civil Service Reform." The widespread demand for these two publications is partly due to their being listed in a Civics Bulletin issued by the Extension Division of the University of Wisconsin. The Municipal Outline has formed the basis of a successful study class held once a month at the Boston Public Library by the Civil Service Reform Committee of the Massachusetts State Federation of Women's Clubs. The Federation Committee has also given helpful co-operation in legislative matters.

During the first six months of the year, when the Massachusetts Legislature is in session, the legislative work engages our chief attention. The secretary, who is registered as the Auxiliary's legislative agent, attends almost all the hearings on civil service bills and is also present at important debates on these measures which take place in the Senate and in the House. Last winter active work was concentrated on opposing two Spanish War Veteran preference bills and on supporting two bills introduced by the Massachusetts Association for extending the civil service law to county offices and to the house of correction at Deer Island, and a bill introduced by the Mayor of Boston for including under the civil service law the collecting and treasury departments in Boston. Previous to the hearing on the Deer Island bill, the Auxiliary arranged for a public meeting in its support, addressed by Mr. Charles Warren, Mr. A. H. Brooks, and Mr. Meyer Bloomfield, and likewise secured endorsement for the measure by the Massachusetts Civic League, the Boston Associated Charities and the United Improvement Association of Boston. At the hearing, Mr. Sullivan, chairman of the Boston finance commission, and other petitioners testified as to the deplorable situation at Deer Island and urged the adoption of the measure in order to secure a more efficient set of employees and better protection for the twelve thousand inmates yearly sentenced to this institution. Notwith-

standing the overwhelming evidence, the committee in charge reported against the bill. As one member said, "We didn't take any interest in a lot of crooks down there at Deer Island—once a crook, always a crook." Subsequent evidence as to the unfitness of officials appointed under the present system has been made public through the discharge last spring of three guards on the ground of selling cocaine and morphine to prisoners, and the removal or transfer of other attendants this autumn on the suspicion of aiding in the escape of inmates.

The change which the merit system brings about is well illustrated in the division of school hygiene under the board of health in Boston. A year ago we reported on our success in placing school physicians under the civil service law. Boston, the first city in the country to introduce medical inspection for school children, had fallen far behind other cities in its work, owing to many political appointments and consequent lack of efficiency in this department. Since the extension of the civil service law to school physicians, careful and systematic daily inspection takes place and the methods of the school hygiene division have received high praise from authorities at Washington. Moreover, the city health reports show a striking decrease in the number of contagious diseases among school children. Recently three supervising school physicians with larger salaries were appointed, their selection being due, it is said, to political influence, but this attempt to return to old methods was promptly checked by the Civil Service Commission, which at once ordered a competitive examination for the position.

The Spanish War Veteran preference bill again gave us great cause for alarm. The measure this year was opposed by the leading newspapers in the State, as well as by the Massachusetts State Board of Trade, the State Federation of Women's Clubs, the Boston Central Labor Union, the Federation of State, City and Town Employees' Unions, the Massachusetts Police Association and many other civic and labor organizations. In spite of this strong opposition the bill passed the Senate and House without even a roll-call vote. As a result of an

emergency appeal for help sent to all our members and to 1,500 men scattered about the State the Governor received several hundred letters urging him to veto the bill. Finally, on the last possible afternoon, the Governor sent in the anxiously awaited veto. Before two o'clock the next day fourteen Senators were personally interviewed by the Secretary. The vote on the roll-call stood 26 to 13 in favor of the bill—giving the two-thirds vote necessary for carrying it over the veto. Then the name of the President of the Senate was called and his vote brought about the defeat of the measure. As the veto came up later for reconsideration, strong pressure was necessary in order that every Senator on our side should remain faithful and likewise be present for the roll-call. Two pairs would have carried the bill. On reconsideration the President of the Senate once more saved the day.

At the request of the National League the Auxiliary joined in working against the limited tenure of office provision in the legislative, executive and judicial appropriation bill. The branches, members and others who helped to oppose the preference bill were asked to urge senators and representatives at Washington to use their influence against the provision. We also worked extensively outside of Massachusetts. Letters were sent to several hundred clubs belonging to the General Federation of Women's Clubs, to Young Men's Christian Associations all over the country, and to many men and women who had applied to us for literature or information on the merit system. During the various stages of the appropriation bill, work was continued until finally the Auxiliary sent a telegram to the President urging him to veto the measure.

Since our last report to the League we have sent out about 20,000 pamphlets and leaflets, thus bringing the total distribution of pamphlets to 525,000. We have published special editions of the addresses by Mr. Bonaparte and Mr. Woodruff to the League last year, and ordered 1,500 reprints of the papers given by President Eliot and Mr. Denison. Copies of these four new publications have been sent to the chief libraries in

Massachusetts and outside the State to 200 libraries and 100 schools that have asked to be placed on our mailing list. The majority of pamphlets were used in school work. Letters from school superintendents and principals show an increasing desire to make our pamphlets the basis of one or more lessons in connection with civics or history classes. Lately a superintendent in Ohio ordered 1,000 copies each of "Civil Service Tests," an illustrated booklet by Mr. Foxcroft; and of Miss Cary's "Primer of the Civil Service and the Merit System," to place in 40 grammar schools under his supervision; and a high school principal in New Jersey asked for 160 copies of the four new publications to give to his pupils.

Much time has been devoted to increasing and cataloging the material in our reference and lending library, which now contains a collection of several hundred books, reports, pamphlets and magazine articles on civil service reform or closely allied subjects. In addition we have many folios with clippings on special phases of the merit system. Back numbers of GOOD GOVERNMENT furnish valuable material for these folios. We are thus able to assist both elementary and advanced students in the preparation of essays. Many requests for help came from boys and girls taking part in competitions for the medal. In 1912 nine medals were given, making a total award of 94 medals. The medals are offered not only by our branches, but also by clubs within and without Massachusetts.

Our set of nearly 150 lantern slides forms a new and successful method of popularizing the merit system. These slides represent various government activities, such as the postoffice and fire service; they give an historical account of the spoils system picturing, for example, a group of office-seekers under Lincoln and the assassination of Garfield, and illustrate the evils of the spoils system by means of a series of assessment letters taken from a folio given to the League by Colonel Burt, and through a selection of the Nast cartoons that appeared in "Harper's Weekly." Other slides show the practical character of civil service examinations, methods of marking and of certification. Finally there are pictures of the

famous early civil service reformers, George William Curtis, Carl Schurz and Dorman B. Eaton, so that their memories may be kept fresh in the minds of the younger generation.

Our office is thus an active headquarters for work as well as a central bureau for information ready to meet the growing interest in civil service reform. Besides daily applications for literature by mail we have frequent visitors,—members, clubwomen, teachers and pupils, police chiefs asking for our leaflets on the extension of the civil service law to heads of departments, candidates for civil service positions, and many others. Each year the Massachusetts Auxiliary becomes better equipped to serve the cause of the merit system.

**Miss Agatha Schurz submitted the report from the Women's Auxiliary of New York:**

Since the last report to the League, the New York Auxiliary has made a change in the officers. To the great regret of everyone, Mrs. Schieffelin, who had so ably and so well served the Auxiliary for seventeen years, resigned, and Miss Schurz, former Vice-President, was elected to succeed her. The Auxiliary has persuaded Mrs. Schieffelin to accept the office of Honorary President, and so is not entirely bereft of the inspiration of her good will and thought for the welfare of the Auxiliary. Mrs. Everett P. Wheeler, last year's delegate to the League, has been made Vice-President. The only other change is in the appointment of Mrs. Francis C. Barlow to the Executive Committee.

Since the Auxiliary has ceased to issue circulars urging the use of pamphlets in the schools, there has been a notable falling off in the number of requests for literature; so that during the past year, only 3,247 pamphlets have been supplied upon solicitation.

The advisability of enlarging the scope of the work to include the teaching of high ideals of citizenship to immigrants and the furnishing of suitable material for translation for foreign newspapers were considered by the Executive Committee. Dr. Abelson of the DeWitt Clinton High School spoke before the Executive Committee urging this activity. It was in response to Dr.

Abelson's appeal that we wrote to all the foreign newspapers published in New York City requesting them to publish translations of extracts submitted by the Auxiliary from noted authors on American history, life, manners and customs. There was no response to this request, so that, for the time being, this method of usefulness was shut off.

Another means of reaching the foreigners about to become citizens of the United States was to prepare a brief, simply worded text on American history and government, which, furnished with a translation beneath the English words, could be used in the English classes for foreigners by teachers in settlements and camp schools. This text was published last June, and since then the entire edition of two thousand has been sent upon request to construction camp schools, Italian missions, hospitals, and settlements.

An investigation of the activities of all civic organizations in New York City was made with a view of avoiding duplication of effort and to seek co-operation in civic interests. The work of the School Citizen's committee seemed more nearly allied to the Auxiliary's interest in the teaching of civics and to be the most practical method in operation. The teaching of civics in the settlements was found to bear inadequately small results in comparison with the amount of expenditure of time and effort. It is the aim of the School Citizen's Committee to vitalize the study of civics by pupil self-government. The pupils legislate and execute concerning matters pertaining to ordinary school life, and meanwhile are imbibing considerable knowledge concerning the machinery of government and public questions of the day. The Executive Committee decided to co-operate with the School Citizen's Committee rather than run an independent scheme of teaching civics and citizenship, and to that end it is pledged to help in introducing in the public schools the method of pupil self-government by means of the "School City" or the "School State." A contribution of \$25 was given to the School Citizen's Committee.

For some time last winter the efforts of the Auxiliary were concentrated, locally, among the settlements. Civics

classes were organized in the University Settlement Society, Chrystie Street House and the Greenwich House with varying results. It was the object of the study class to give a brief statement of what government is, why it is, the origin, and various forms of government, and the outline of the United States civil government with particular reference to the individual citizen's specific relation to government. The Secretary gave thirty-three talks at settlements during the winter.

The Auxiliary is co-operating with the civil service reform committee of the New York State Federation of Women's Clubs, and the Secretary has been made a member of that committee. Circulars have been sent to all the New York Clubs urging the club women to introduce the "Primer" on the Merit System" into the public schools, and many hundred "Primers" have been given by the Auxiliary for that purpose.

Efforts were made to organize Women's Auxiliaries in Texas, Florida, and Pittsburg, but were unavailing. Literature has been supplied to civil service reform committees of Women's Federated Clubs in California, Texas, Florida, Virginia and Tennessee, and loans from the reference library have been made on several occasions.

The Auxiliary is not called upon to undertake any active legislative work, either in defending the civil service law in New York or in urging its extension, as the Association has entire charge of that activity. Letters of protest were sent to Governor Dix denouncing the contemplated exemption from examinations of eight supervisory factory inspectors; to Mayor Gaynor protesting against the corrupt appointments to the fire prevention bureau; and to President Taft requesting his veto on the five-year tenure clause for civil appointments contained in the legislature, executive, and judicial appropriation bill.

We are glad to note that the cause of civil service reform, for which we are all working, had successful results in these three instances.

The Executive Committee wrote to the Board of Trustees of Cooper Union advocating that the course in civics be made compulsory for all students attending that institution, and received a courteous reply to the effect



that "compulsory instruction in civics in classes of General Science Night Course was tried from 1900-1908, and in the opinion of the Faculty and students was not a success and was dropped as a requirement \* \* \* Elective courses in civics were instituted which have been since continued. These courses have not had the attendance and entire success the Trustees desire, and it is their hope that measures will be adopted in the near future to extend their influence and increase the numbers reached."

After the announcement that President Finley, of the College of the City of New York had planned to open special courses for municipal and federal employees who seek advancement, the Executive Committee sent the following letter to Dr. Finley over the signature of the President:

"President JOHN H. FINLEY,

*College of the City of New York.*

"DEAR SIR—As an organization whose aim is the advancement of the public good, permit us to offer our congratulations and commendation to you for the establishment of classes in the City College for the purpose of training men for the public service.

"It has been the opinion of the Auxiliary that the government should provide training for its civil employees, as well as training for the military and naval branches of service. And we view with pleasure the recent steps taken by you toward this end.

"Respectfully,

"MARY JAY SCHIEFFELIN, President."

In a few days Dr. Finley's reply was received:

"DEAR MR. SCHIEFFELIN—I cannot tell you what encouragement your congratulations have given me. We have only begun, really, to look in the direction of such service. I hope that within the next week a certain action will be taken by the City which will give physical basis for a serious undertaking to fit men for the direct service of the City.

"Cordially yours,

"JOHN H. FINLEY."

At the seventeenth annual meeting of the Auxiliary Mr. Richard Welling spoke on the subject of the "School State," or "School City"—forms of self-government which the School Citizen's Committee is introducing in the schools, and Mr. Hebberd, Secretary of the State Board of Charities spoke on the "Hospital Helper Situation in New York City" and "County Overseers of the Poor." Mr. Hebberd asked the Auxiliary to urge upon the Board of Estimate and Apportionment the need for a larger appropriation for the hospital helper service, in order that a better type of help could be procured, and efficiency and economy be maintained. Because of the meager wages offered, only the lowest type of men and women accepted these positions, and they were not only a source of expense to the city because of their inefficiency and frequent desertions, but often a menace to the patients with whom they came in contact. The Auxiliary appealed to the City Visiting Committee of the State Charities Aid Association for their opinion and the results of their investigation in the matter and found that the committee was waiting for the completion of a report and recommendations to be suggested by an investigating committee of the Board of Estimate and Apportionment. The Auxiliary is glad to report at this time that the recommendations suggested by the investigation committee appear entirely satisfactory to the City Visiting Committee, unless they should not prove to be so in actual operation, and that these recommendations, placing the hospital helper service upon a suitable basis will go into effect on January 1st.

Mr. Hebberd also requested the Auxiliary to urge that the County Overseers of the Poor, of which there are thirteen on the unclassified list, be placed on the classified list. The Auxiliary found that the State Charities Aid Association is making a thorough investigation of each almshouse, and contemplates having a bill introduced into the legislature which shall make mandatory the classification of County Overseers of the Poor.

It will be part of the coming winter's work to watch

the progress of the classification of the county overseers and superintendents of the poor and to urge the matter in so far as possible.

A large portion of the past three months has been spent in the preparation of the third edition of the "Bibliography of Civil Service Reform and Related Subjects." The material is ready and the book is about to be published. It is five years now since the previous edition has been issued and there is considerably more material to add under the old headings. Several new headings, with a view to enlarging the scope and usefulness of the Bibliography have also been added. As the former edition has been of value as a reference book on civil service reform and the civil service to all Civil Service Reform Associations and Auxiliaries, it is hoped that the third edition will prove to be no less—and the New York Auxiliary is glad to report to the League the accomplishment of this work.

Mr. Samuel Dauchy of Chicago presented a resolution calling for an inquiry concerning the attitude of senators and congressmen toward the merit system with a view to presenting results of such investigation to the public. On motion, it was ordered that the resolution be referred to the Committee on Resolutions for action.

## SECOND SESSION.

State Normal School,

Thursday afternoon, December 5.

**A**T 3.00 p. m. the League reconvened at the State Normal School. Mr. Walter H. Cheever, President of the Normal School, presided.

President Charles W. Eliot delivered an address.

Hon. Charles J. Bonaparte delivered an address.

Hon. William Dudley Foulke delivered an address.<sup>1</sup>

## THIRD SESSION.

The Athenæum,  
Thursday evening, December 5.

**A**T 8.00 p. m. the League reconvened at the Athenæum.  
Hon. James G. Jenkins presided.

Dr. Duncan McGregor, private secretary to Governor McGovern of Wisconsin, delivered an address.<sup>1</sup>

General Frederick C. Winkler of Milwaukee delivered an address.<sup>2</sup>

Hon. Charles J. Bonaparte delivered an address.<sup>3</sup>

President Charles W. Eliot delivered the President's annual address.<sup>4</sup>

## FOURTH SESSION.

Club Room, Hotel Pfister,  
Friday morning, December 6.

**A**T 11.00 a. m. the League reconvened, President Eliot in the chair.

Mr. Samuel Y. Nash presented the report of the Committee on Nominations, as follows:

## FOR PRESIDENT:

Charles W. Eliot.....Cambridge, Mass.

## FOR VICE PRESIDENTS:

Edwin A. Alderman.....Charlottesville, Va.

Charles J. Bonaparte.....Baltimore, Md.

Joseph H. Choate.....New York, N. Y.

Harry A. Garfield.....Williamstown, Mass.

George Gray .....Wilmington, Del.

Arthur T. Hadley.....Yale University.

Seth Low .....New York, N. Y.

Franklin MacVeagh .....Washington, D. C.

George A. Pope.....Baltimore, Md.

Henry A. Richmond.....Buffalo, N. Y.

Moorfield Storey .....Boston, Mass.

Thomas N. Strong.....Portland, Ore.

Herbert Welsh .....Philadelphia, Pa.

## FOR MEMBERS OF THE COUNCIL:

William A. Aiken.....Norwich, Conn.

Frederic Almy .....Buffalo, N. Y.

Charles J. Bonaparte.....	Baltimore, Md.
Arthur H. Brooks.....	Boston, Mass.
Charles C. Burlingham.....	New York, N. Y.
George Burnham, Jr.....	Philadelphia, Pa.
John A. Butler.....	Milwaukee, Wis.
Edward Cary.....	New York, N. Y.
Robert Catherwood.....	Chicago, Ill.
Leander T. Chamberlain.....	New York, N. Y.
William C. Coffin.....	Pittsburgh, Pa.
Everett Colby.....	Newark, N. J.
Charles Collins.....	New York, N. Y.
Joseph P. Cotton, Jr.....	New York, N. Y.
William E. Cushing.....	Cleveland, Ohio.
Richard Henry Dana.....	Cambridge, Mass.
Horace E. Deming.....	New York, N. Y.
Albert de Roode.....	New York, N. Y.
John Joy Edson.....	Washington, D. C.
John A. Fairlie.....	Urbana, Ill.
Henry W. Farnam.....	New Haven, Conn.
Cyrus D. Foss, Jr.....	Philadelphia, Pa.
William Dudley Foulke.....	Richmond, Ind.
Elliot H. Goodwin.....	Washington, D. C.
Charles Noble Gregory.....	Washington, D. C.
H. R. Guild.....	Boston, Mass.
Henry W. Hardon.....	New York, N. Y.
Robert D. Jenks.....	Philadelphia, Pa.
Stiles P. Jones.....	Minneapolis, Minn.
William V. Kellen.....	Boston, Mass.
Francis B. Kellogg.....	Los Angeles, Cal.
John F. Lee.....	St. Louis, Mo.
William G. Low.....	New York, N. Y.
George McAneny.....	New York, N. Y.
Henry L. McCune.....	Kansas City, Mo.
John W. Mariner.....	Milwaukee, Wis.
Harry J. Milligan.....	Indianapolis, Ind.
William B. Moulton.....	Chicago, Ill.
Samuel Y. Nash.....	Boston, Mass.
Samuel H. Ordway.....	New York, N. Y.
Elliott H. Pendleton.....	Cincinnati, Ohio.
John Read.....	Cambridge, Mass.
H. O. Reik.....	Baltimore, Md.
Charles Richardson.....	Philadelphia, Pa.
Nelson S. Spencer.....	New York, N. Y.
Henry W. Sprague.....	Buffalo, N. Y.
Lucius B. Swift.....	Indianapolis, Ind.
Frank J. Symmes.....	San Francisco, Cal.
William J. Trembath.....	Wilkes-Barre, Pa.
Henry Van Kleeck.....	Denver, Colo.
William W. Vaughan.....	Boston, Mass.
Everett P. Wheeler.....	New York, N. Y.

Charles B. Wilby.....	Cincinnati, Ohio.
Ansley Wilcox .....	Buffalo, N. Y.
Charles D. Willard.....	Los Angeles, Cal.
Frederick C. Winkler.....	Milwaukee, Wis.
R. Francis Wood.....	Philadelphia, Pa.
Clinton Rogers Woodruff.....	Philadelphia, Pa.
Morrill Wyman, Jr.....	Cambridge, Mass.

In connection with the report, Mr. Bonaparte, referring to the omission of President-elect Wilson's name from the list of vice-presidents, stated that this was in deference to the wishes of the President-elect, as explained in a message from the Chairman of the Committee on Nominations, Mr. Samuel H. Ordway, that Mr. Wilson thought it wise not to associate his name with any league or association during his term as President, though his "interest in and sympathy with the work of the Civil Service Reform League had not been and cannot be abated."

It was moved and seconded that the Secretary be directed to cast one ballot for the election of the gentlemen named. The motion was unanimously carried. The Secretary cast the ballot and announced the election of the ticket as read.

In the absence of Mr. A. S. Frissell, the Treasurer of the League, the Secretary read the Annual Report of the Treasurer,<sup>1</sup> which was, upon motion, received and ordered to be submitted to an Auditing Committee to report to the Council at the first meeting after the annual meeting.

The Secretary then presented the report of the Committee on Political Activity and Political Assessments. On motion of Mr. Bonaparte, it was ordered that the report be received and referred to the new Council for necessary action.

Hon. William Dudley Foulke submitted the report of the Committee on the Application of the Merit System to Higher Municipal Officers.<sup>2</sup> Discussion of this report was postponed to the afternoon session.

Hon. Ansley Wilcox presented the report of the Special Committee on Resolutions. Upon motion the report

was accepted and the resolutions presented adopted as the resolutions of the League.<sup>1</sup>

Mr. Wilcox for the same committee reported on the resolution presented by Mr. Samuel Dauchy of the Chicago Association and submitted the following special resolution:

*Resolved*, That there be referred to a Special Committee, with the approval of the League, the plan proposed for making observations and inquiries concerning the records and attitude of Senators and Congressmen in regard to civil service matters, and bringing the facts concerning such records and attitude to the attention of the public and before their constituents; with power to the Council to carry out the recommendations of the committee.

On motion, the special resolution as presented was adopted as a special resolution of the League.

Mr. Wilcox for the same committee asked for authority to draft an appropriate resolution on the death of Colonel Silas W. Burt which, when prepared, should be sent to the family of Colonel Burt and included in the proceedings of the League.<sup>2</sup>

Reports from Civil Service Reform Associations composing the League were then read.

**Mr. T. Henry Walnut submitted the report from the Civil Service Reform Association of Pennsylvania:**

Just one year ago yesterday, the new civil service commission took over the management of Philadelphia's civil service law. It was the same law which a frightened political organization granted us in 1906, but under its new management it has become transformed. There was a brief period in its early history when it showed some stirrings of life, but before it was a year old a new administration came into being whose mayor in dismissing the subject of civil service reform remarked, "There will be no hypocrisy in this commission. We will obey the law, but we will not do any more than we have to." There was never a better example of the helplessness of a law in the hands of its enemies. Our civil service act was carefully drawn and well calculated to accomplish the ends in-

tended, but it accomplished practically nothing. Some of us who were interested in politics and came in contact with the ordinary political worker heard about the law in a dim way but without a clear conception of its possibilities. We noticed that it did not manifestly interfere with an equable distribution of jobs at so many per division and ward and that an aspirant for public service was intensely interested in securing the influence of his division, ward or city leader but appeared to concern himself little with that collateral matter known as the civil service examination. It was in fact a rather comfortable institution which hurt nobody's feelings seriously and was accepted and continued without serious protest, although its fate rested in the hands of two reasonably docile sessions of the state legislature. No one in fact seemed much concerned about it save a few dissenting individuals found in the Civil Service Reform Association who didn't count for much anyway as things went, and who were forced to content themselves with cursory attacks in the newspapers and courts accompanied by the sacrificial offering of a state civil service bill at regular intervals to the legislature, where it was stifled promptly, not because the one in Philadelphia was particularly irksome, but because all such bills showed teeth that looked ugly enough to bite.

There has been something of a change since then. Those few dissenters in the Civil Service Reform Association who didn't count for much have curiously turned the tables. The new mayor, who was inaugurated on the 4th of December a year ago, is a member of and contributor to the Association of long standing. His secretary was, prior to his appointment, counsel and secretary of our Association. His director of public safety has for many years been a member of the Association, his director of public works is a member of the Association, and has served as a member of the Executive Committee. The president of the civil service commission was a member of our Executive Committee and he, with another of the commissioners have been members of the Association for many years. So the new administration started off very bravely from our point of view and we



are honestly able to report that these gentlemen who had so ardently wished to cure certain of the city's ills by dosing other administrations with civil service reform have taken their own medicine manfully and are still sincere believers in its efficacy. It has not been the easiest of going, either, for the past year. The new administration went into office in opposition to an unusually well organized political machine which had had almost continuous control of the city government for over a generation. During the campaign a loose organization of thousands of anti-organization workers grew up who were filled with exultation at their victory and immediately discovered in themselves a spirit of martyrdom for a cause worthy of unlimited compensation. On Saturday night, December 2, a monster demonstration miles long paraded down Broad Street, the ranks swelled by thousands of new recruits hastily joining in the hope of participating in the new distribution, for on Monday, the enemy was to march out and the conquerors would take possession of City Hall. City Hall was thronged for the inauguration with gentlemen eager to be before-hand and to slip in a casual word about some matter near their hearts. For months afterward the director's office and the mayor's office were crowded from early in the morning until late in the afternoon with a long line of expectants and the corridors were frequented with others who possibly expected nothing, but seemed curiously fascinated by mere proximity to the source of distribution of favors. Matters didn't move in what, from a political point of view, was the proper channel. An enthusiastic ward delegation called upon the mayor within a week of his inauguration to advocate the appointment of one of their active members to an important position and glowingly recited the prodigious labors of their nominee in the cause of reform. They were met with the incomprehensible doctrine that political affiliations would not be considered in the making of appointments. At the meeting of this League which was held in Philadelphia a week later, the mayor in his public address stated: "The spoilsman will have to take a back seat,—I care not under what label he is traveling, whether he is labeled Republican, Democrat,

Keystoner, Prohibitionist, Socialist, or what not. It seems almost incredible that it should have taken so many years to convince the intelligent people of our great country, the intelligent people of the Commonwealth of Pennsylvania, the intelligent people of the City of Philadelphia, that it pays to have real civil service and to practice it. \* \* \* The statement was made by me during the campaign and it has been emphasized since our great victory, that the Merit System will hold sway in Philadelphia while I am Mayor." Such statements did not sound pleasant even when their sincerity was heavily discounted by cynical, practical men and loud complaints were heard that the mayor should so fore-swear his liege men and retainers. It was curious to see how obstinately the political workers resisted the absorption of the truth. For many months after the mayor had made his emphatic declaration, it was a common theory among political workers that it constituted a mere front door declaration and that under cover, proper attention would be paid to the political end of the administration, and applicants for place continued to besiege the directors with alluring political records polished up and displayed to their best advantage.

City Hall was subjected to high pressure and a handful of gentlemen with pasts bearing a political cast leaked in as provisional appointees and largely passed out again after facing the commission's examination. There were, in fact, few eligible lists when the new commission took matters in hand and some places had to be filled provisionally, but these were very few compared to the great number of applicants, the vast majority of whom were referred to the civil service commission. Thousands of them took the examination and most of them fell down lamentably, and the pale creature known as the civil service law, which had been treated with contempt for six years, suddenly developed the most outrageous proclivities. In the minds of the political workers who had labored for the election of the new mayor, it became a monster that threw a shadow over the whole of the city. Violent spirits advocated seriously the starting of an "anti-civil service" policy and predicted

for it overwhelming successes. Councilmen elected to support the mayor grew restless and threatened dire things. Civil service reform was the main political issue of the day in the minds and mouths of those gentlemen who dealt extensively in politics, yet the administration has stood upon the mayor's declaration with a consistency which has disheartened even the most indefatigable workers for "recognition" and the number of persons seeking patronage has fallen away extraordinarily.

The new commission has undertaken its work with an earnestness that must be seen to be appreciated. The difference between its attitude and that of the previous commission could not be more clearly indicated than by the comparison of the figures showing the extent of the work done. During the year from December 1, 1910, to December 1, 1911, some 4,999 applications were filed and approximately 4,005 persons took examinations. From December 1, 1911, to December 1, 1912, the first year of the new commission, over 14,815 applications were filed and 13,029 persons took examinations. Nearly 300 examinations have been held and eligible lists have been provided for almost every position in the city government. New rules were carefully prepared by the commission and approved by the mayor. They are, I believe, as complete as the rules of any commission in the country. It is calculated that the commission conducts ten times the volume of business conducted by the former commission and its work is done with a sincerity that should make Philadelphia's commission approximate the standard which we are accustomed to take for our first premise in the arguments advanced in the League discussions for civil service reform.

Not only has there been a great change in the manner of selecting appointees for the city's civil service, but a precedent has been established in keeping these employees severely out of active participation in politics. In the past, the city administration has made of its employees the bone and sinew of the political organization with which it was allied. The policemen and firemen have been particularly valuable assets in political work. The election on the 5th of last November is the first in

the history of the city when public officeholders, particularly policemen and firemen, did not constitute the regular army of the party in power. They were so completely removed from political activity that not a word of complaint has been heard on that score from any division of the city. The comments upon this manner of conducting the election have been favorable and we believe that such a precedent once firmly established will make a return to the old system very doubtful political policy.

In addition to what we have gained in Philadelphia we are preparing with more than customary hopefulness to wage our biennial campaign in the legislature for a state and county bill that will bring within proper civil service regulations our state and county employees. The year since we delivered our last report has been a hopeful one for civil service reform in Pennsylvania and a highly prosperous one in Philadelphia. Our new administration in Philadelphia has withstood the first strain placed upon it and has forced upon the popular consciousness the theory and practice of our civil service law. We are optimistic in the belief that the law is establishing a place for itself that will stand us in good stead in the future when conditions may be less propitious.

**Mr. John A. Butler submitted the report of the Civil Service League of Wisconsin:**

It has long been my agreeable privilege to report a considerable annual record of achievement on the part of the Wisconsin Civil Service League, and this was particularly true of the report presented at the Philadelphia meeting last December.

Our principal effort this year has been to secure the Annual Meeting of the National League in order to more fully educate the people of Wisconsin on the important matters of practical examinations, methods of removing civil service employees from their positions, and the extension of the rules of the merit system to high administrative offices. Aside from this there is at present comparatively little to chronicle as far as accomplished work is concerned. It is, however, desirable to record

an important result of legislation in which the League was interested at the last session of the legislature. It is also referred to because it is germane to the symposium of methods of removal of civil service employees in tomorrow's afternoon session. Legislation was secured from the Legislature of 1911 increasing the membership of the Milwaukee fire and police board from four to five. It was generally believed that the socialist administration was anxious to secure this legislation in order to pack the board and thus remove both the chief of police and the chief of the fire department. It seemed to be their intention to replace these public servants, who enjoyed general confidence as competent and able officers, and whose departments were free from politics, with men who would promote the "policies of the administration." In other words, it was thought to be, in the main, a political move. Coupled with the legislation increasing the membership of the fire and police board was a provision that all officers and subordinates in the fire and police departments should only be removed by a trial before the board. Unfortunately, many members of the legislature, who were not socialists in name, were in sympathy with the effort; and as associated legislation was being pushed which was subversive of all the principles of the merit system in the government of Milwaukee, the conviction developed, rightly or wrongly, that a plan was on foot to create a strong political machine in the chief city of the state. The friends of the merit system were naturally aroused, and as a result the Wisconsin Civil Service League made a successful effort to defeat the destructive legislation referred to; and with other friends of good government they secured a provision in the bill affecting the fire and police board which made it possible for the official sought to be removed to appeal to the circuit court on the facts as recorded in the evidence. The first and only victim was the chief of the fire department, who after a protracted trial was removed by the board. He was reinstated by the circuit court after a careful review of the evidence by a judge from the northern part of the state who could not be accused of local prejudice. The matter was then carried to the

supreme court, where the decision of the lower court was upheld and the incident was closed. The chief of police was not molested, but the influence of the whole proceeding upon subordinates, in both the fire and police departments, was not good. Discipline for the time being was less easy to maintain, and the city was deprived of the services of an able fire chief for a considerable length of time.

In view of the undisputed influence of the Wisconsin Civil Service League, in securing the enactment of the state civil service law in 1905, its assistance to the commission in opposing exemptions, its successful legislative work in 1911, and its notable part in defending the constitutionality of the state law in the supreme court, it may not be out of place to say that it has made preparations for legislation which shall include under the operation of that law, the heads of state charitable and penal institutions, deputies, secretaries and exempt stenographers, members of library staffs, bank examiners and all experts except for temporary employment. It is also interested in similar legislation for Milwaukee, and looks forward to the day when the law authorizing Wisconsin cities to adopt the commission form of government shall be so amended as to permit the application of the merit system of appointment.

This is an ambitious programme, and the active civil service reform workers in the state are few indeed. The few have, however, been successful in the past, by dint of hard work, and they may again be successful in the future.

There is nothing unusual to report in regard to the merit system in Milwaukee. It is believed that it is conscientiously administered, and those who criticise it most severely were opposed to the League's bill at the last session of the legislature empowering the state civil service commission to remove objectionable local commissioners and determine the character of the rules, which may at any time be controlled by a spoils mayor. As you are aware the present able chief executive of the city is favorable to the merit system.

There is at present some friction between well mean-

ing and high minded appointing officers and the city service commission, owing to a desire on the part of the former to select at will from the eligible list. It is believed that there may be some misapprehension on both sides which will pass away. Meantime there is a great deal of instruction in ex-Governor Hughes' statement on similar conditions in New York state at the Buffalo meeting of the National Civil Service Reform League and undoubtedly the commission should endeavor to secure the qualifications desired by appointing officers.

Let me complete this report by a brief reference to the civil service of the state. Since the supreme court decision there has been less resistance to the law. Heads of departments are in many cases converts to the principles of the merit system. Some of them are favorable to its extension, and it is an interesting fact that the governor has appointed five or six delegates favorable to civil service reform to represent the state at this meeting.

The classified service of the state comprises 2,480 positions, and 1,097 remain to be classified. The work done by the state commission in 1911 was about thirty per cent. greater than in 1910 and is increasing with great rapidity. The total number of officers and employees in 1906 was 1,927. In 1912 it is 3,677. In 1910 there were 2,500 persons on the state pay roll. The commission examined 2,062 applicants. In 1911 it examined 2,689. The appropriation is \$15,000. In the same year the Illinois commission examined 2,286 applicants and the appropriation is \$31,800.

The members of other state commissions in Wisconsin receive in many cases \$5,000 salary, while the civil service commissioners receive only \$10 per diem, not to exceed \$1,000 a year; and the faithful and overworked secretary receives only \$2,500 a year, with no assistant. It will therefore be a part of the work of Wisconsin friends of civil service reform to secure an adequate appropriation for this very important commission.

In conclusion I wish to say that while the State League has a small membership the splendid financial support of the business men of Milwaukee indicates that its work is appreciated. It has staunch friends who will increase

its funds when they realize that its usefulness is only limited by the inadequacy of its regular financial support.

On motion, it was ordered that the Committee on Resolutions draft an appropriate resolution in commemoration of Mrs. Sarah Platt Decker of Colorado, and that Miss Marian C. Nichols of the Massachusetts Auxiliary be asked to assist in the preparation of such resolutions.<sup>1</sup>

The following reports from Associations were received, to be printed in the Proceedings:

**From the Civil Service Reform Association of Cincinnati:**

The Cincinnati Association entered upon a new field of usefulness when Henry T. Hunt, the newly elected reform mayor, called upon it a year ago to appoint a committee to investigate and report upon the execution of the civil service law of Ohio, which had then been in force for two years, that is, since the 1st of January, 1910.

This law applies only to municipalities. The constitutional convention of 1912 adopted a provision requiring the extension of the merit system to all county and state offices in Ohio, and legislation to put into effect this constitutional provision, will be introduced at the next session of the legislature.

The committee appointed from the Cincinnati Association in response to the call of Mayor Hunt, obtained the aid of Mr. Goodwin, then Secretary of the National League, who came to Cincinnati and spent a week with the committee, with the result that its report caused the removal of the two members of the existing commission, whose terms had not expired, and a new commission was appointed. To aid it in formulating the necessary rules and otherwise preparing for the enforcement of the law, this committee obtained the valuable aid of Mr. Goodwin, who again came to Cincinnati. What that commission has done is largely due to the Cincinnati Association and its influence. The commission was taken from the membership of the Association and the Association had stood behind it and backed it up in helping to cause public opinion to support it against the criticism and opposition



of the entire local press, as well as of the politicians of both parties. Consequently some reference to the work of that commission may be given here as part of the work of the Cincinnati Association.

Almost the first question to be determined by the commission was that of the status under the law, of persons in the city service at the time of the passage of the law. Some of the state laws provide that the entire service must forthwith be filled through examination. Others, like that of Ohio, are silent on this point. The Cincinnati commission was of the opinion that the incumbents at the time of the passage of the law, should thereafter hold their positions subject to the provisions of the law, as though they had been appointed under the law. In this way the municipality has the advantage of whatever experience the incumbents may have acquired and the municipal service is not thrown into confusion as it would be otherwise. Good authorities deem it advisable that in the preparation of civil service laws provision should distinctly be made for thus governing the status of the incumbents. Under the opinion of the city solicitor of Cincinnati, all appointments made without examination after the passage of the law, were merely temporary and the position was still legally vacant, to be filled by examination as soon as possible.

Although the Ohio statute was two years old when the present commission was appointed, the enforcement of the law had only been perfunctory, and a large majority of the positions within the classified service had been filled by appointment without examination. Experience had made many of those incumbents valuable in their respective positions. Some of them declined to take the examinations and others were unsuccessful, hence the natural friction resulted when a stranger was placed in a position which had acceptably been filled by the temporary appointee. Such a situation was inevitable under the circumstances, but the commission, by giving full weight to the subject of training and experience in the examinations, made it possible to give the city the benefit of the incumbent's experience where he was

otherwise qualified in comparison with the other applicants.

At the outset the commission realized that many positions for which the fitness of applicants must be tested by examination, called for a wider expert knowledge than could be possessed by its chief examiner and his assistants. In the city of New York 77,000 places are in the classified service. In Chicago about 25,000, and in Cincinnati only about 3,200, but those 3,200 places cover almost all the different fields of municipal activity which are covered by the 77,000 places in the City of New York, and while the city of New York may well afford to have on its board of examiners, men qualified in all these various branches of expert knowledge, this was impossible for the Cincinnati commission, with the limited means at its command. The commission therefore determined to call upon public-spirited citizens having special and expert knowledge in the different fields of municipal activity, to help it with the practical work of examinations, as was successfully done by the Kansas City commission.

The commission found that many citizens were willing thus to act as special examiners, and in every case the special examiners on having that personal experience with the operation of the law, became earnest advocates for its enforcement.

In the examination required for the selection of fifteen medical inspectors of the public schools, Doctors Frederick Forchheimer, C. A. L. Reed and A. B. Thrasher conducted the oral part of the examination.

In the examination for legal clerks, Messrs. George Hoadly, Jr., and Aaron A. Ferris of the Cincinnati bar, acted as special examiners.

An examination was required for the selection of twelve district or assistant superintendents of street cleaning. Of them nothing was required but the ability to handle men and get an effective day's work out of every laborer and team of horses. Not even a written report to their superior was required of them. Consequently the only writing demanded of them was that asked in the written application for the examination. The examina-

tion was oral and was conducted by Jerry Riley, the depot master of the immense local freight sheds of the Cincinnati, New Orleans & Texas Pacific Railway, and Mr. George LeBoutillier, the superintendent of maintenance and way, and manager of track men of the Little Miami Railroad between Cincinnati and Xenia.

Jerry Reilly had risen from the ranks. He had several hundred men under him who were frequently called upon in emergencies, to handle large quantities of perishable freight.

Mr. LeBoutillier had received a different training, but he also had wide experience in handling men and in the selection of others capable of handling them. These two men worked together admirably in conducting that examination, which resulted in the selection of a most efficient corps of bosses of street cleaners.

These instances illustrate the method of calling in special examiners to aid in the operation of a civil service law, and it can be commended to every civil service commission whose working force cannot cover all the requirements.

The Cincinnati Association, in its labors for the commission, was also aided by Mr. Doyle of the Federal Commission, and Major Miles of the Chicago Commission. The Cincinnati Association also helped to cause the provision to be adopted by the late constitutional convention, which extends the merit system to state and county offices, a delegation from the Association having gone before the committee of the convention to urge the passage of this amendment to the constitution.

**From the Civil Service Reform Association of Connecticut:**

The Connecticut Association reports that after much discussion as to the advisability of pressing the new optional civil service law to a referendum vote during a presidential campaign, the members of our Executive Committee from the cities which might have considered the question, advised against it. Some of the cities have annual elections, some biennials in off years, and it seemed better to wait.

In the little city of Derby, however, one man, not a

member of our Association, deserves at least an honorary membership; for, taking counsel with his own desires he presented a small petition to the board of aldermen, who took adverse action. Then he went out with a formal petition, obtained the required signatures, and forced the submission of the question. There were a little more than half of the whole number of voters who cast ballots on the question, which was carried in the affirmative by about 4 to 3. No campaign of education was waged, the thing just ran itself.

The incoming mayor of Derby was mayor a number of years ago. He says that he has noticed a great and welcome change from the former election in that he is not being pestered for office. It has been noticed that no mayor of Derby has ever had a re-election, and it is generally accepted as the reason, or at least a reason for this, that he has always made more enemies than friends by his appointments.

Aside from this, Connecticut has been stagnant. The New Haven civil service board has continued to deserve a good reputation, removing one of the few incentives for our existence. Mayor Frank J. Rice has shown his interest in good government by appointing Commissioner Kennedy to the police board and filling the vacancy in the civil service board by the appointment of Professor Henry C. Emery.

**From the Civil Service Reform Association of Denver:**

The Civil Service Reform Association of Denver begs to make the following report:

The state commission during the past year has met the culmination of the financial difficulties reported last year. It will be recalled that the Legislature of 1911 appropriated only the sum of \$500 for contingent expenses, available only for the year expiring November 30, 1911, and nothing whatever for salaries. This was followed by an opinion of the attorney general reversing the view of his predecessors that the salary of the secretary and chief examiner, provided for in the civil service act, was a continuing appropriation. The supreme court of the state sustained this view in a decision rendered in

January, 1912, thus depriving the commission of all office assistance. The commission then applied to the state auditing board for a small appropriation out of an emergency fund, created by the assembly, for general purposes. The sum of \$1,700 was granted, but the state treasurer refused to honor warrants drawn against this fund. The matter was taken into the district court, where a judgment favorable to the commission was rendered on a demurrer, but on the treasurer interposing an issue of fact payment is still delayed. In the meantime the office of the commission has been kept open through the voluntary services of a public spirited citizen acting as clerk who is taking his chances of receiving any compensation. Of course, under the circumstances narrated, the work of the commission has been practically at a standstill, as no competitive examinations have been held for nearly two years, and vacancies have had to be filled provisionally, subject to non-competitive examinations.

Out of all these difficulties and resulting from them, has sprung a brilliant gleam of hope and promise in the initiation by the people at the recent election of an amendment to the civil service act, prepared and submitted by this Association. This amendment provides for a continuing appropriation for the expenses of the commission, which it is believed will stand the test of the courts, and will make the commission largely independent of the legislature. It also provides for an extension of the classified service (now limited to state institutions) to embrace, with but few exceptions, all appointive positions in the state service, including those of the general assembly. This will secure a much better enforcement of the law than with only a portion of the public service under the jurisdiction of the commission. The amendment also changes appointments for terms to good behavior. It will require the official canvass to determine definitely whether these amendments have carried, as to which, however, there seems to be little doubt.

If the amendments have carried, the merit system will have acquired a well-nigh impregnable position in the

state service, as any act of the assembly, repealing or harmfully amending the original act or the new amendments, may be by petition at once referred to the people and rendered inoperative until the next general election two years hence. In the meantime the civil service act, as amended, will continue in force. No one doubts the final result of a submission of the question to the electorate.

Another most encouraging fact lies in the announcement made by our recently elected governor, Hon. Elias M. Ammons, that he is heartily in sympathy with the principles of the merit system for which he introduced and advocated a measure in the legislature some years ago, and that he purposes to secure an effective enforcement of the civil service law, both in spirit and letter.

For the first time since its appointment eight years ago, the Denver commission has been in trouble. At the city election last May, a new party came into power. The retiring mayor appointed a new commissioner to fill a vacancy, in the last days of his authority. This led the mayor-elect to suspect the good faith of the commission. He removed the three commissioners and their secretary, and appointed an entirely new commission. The district court reinstated the old commission, on the ground that the mayor had shown no adequate cause for their removal. This led to a compromise, leading to the retirement of one member of the old commission and its secretary, who were replaced by one member of the new commission and its secretary. Incidentally several of the fire and police force, who had been improperly discharged by the new administration, were reinstated.

The city charter applies the merit system to a limited number of employees only—those of the departments of fire and police and of the public works and utilities, but gives the city council authority to extend it to all other departments. At the request of the present council, the city attorney is now engaged in preparing an ordinance providing for the inclusion of all departments of the city and county of Denver in the classified service.

There are also several movements on foot to secure a commission form of government for the city—in all

of which their advocates have asked this Association to prepare civil service provisions to cover all appointive positions.

The cause of Civil Service Reform in city, state and nation has lost in the passing of Mrs. Sarah S. Platt Decker, a most zealous and effective champion. Mrs. Decker stood sponsor for the reform in this community from its birth sixteen years ago, in the organization of this Association. Through the ten years of patient and often discouraging work resulting in the enactment of civil service provisions in the charters of Denver and other cities, and of the civil service act for state institutions, six years ago, Mrs. Decker's influence and personal efforts were most potent. Mrs. Decker was appointed a member of the state civil service commission in March, 1909, upon which she rendered distinguished service until her death, which occurred at San Francisco on July 7, 1912. Mrs. Decker's efforts in behalf of the merit system were not confined to this community. As an active member, and twice president of the National Federation of Women's Clubs, Mrs. Decker always exerted her great influence in keeping the cause prominently before the women of the nation. She considered and represented it as fundamental in any scheme of good government. Mrs. Decker's last address, delivered at a public meeting at San Francisco a few days before her death, was in advocacy of the reform. These days of apparent triumph for the cause in Colorado are tempered with sadness at the thought of the great loss we have suffered in the passing of this great citizen to whose unremitting efforts success is so largely due.

#### **From the Civil Service Association of Massachusetts:**

The need of constant watchfulness and activity on the part of civil service reformers will never cease, although it will be much greater at some moments than at others. Having discovered that they can get no encouragement from the courts in their efforts to defeat the law, the opponents of the merit system in Massachusetts have been seeking their ends in the legislature, and in recent years have been introducing bills for the purpose

of injuring or destroying the administration of the law.

The Massachusetts Association appeared before legislative committees, during the last session, at hearings upon over fifty bills, and often the Women's Auxiliary and the state Association were the only opponents of bad legislation.

On the whole, there is no reason why one should feel pessimistic in Massachusetts. About one-third of the fifty or more bills, to which I have referred, sought extensions of the law. The object of some was to classify whole municipal departments as, for example, the treasury and the collecting departments of the city of Boston; of others to place heads of police and fire departments under the law; while some of the bills were introduced in the interests of particular individuals.

Nearly all of these bills were defeated, but for the first time in Massachusetts, a bill seeking to change the law, which now exempts county positions from its operation, so that they may be classified, was reported upon favorably by the committee, whereupon the county rings became alarmed and, by active work, were able to obtain the overwhelming defeat of the measure in the Senate. Some day this battle with the county rings will be won.

The attempt, however, to classify instructors in the state prison and in the Massachusetts reformatory was successful, and the law to accomplish this end which was passed defined instructors to be persons employed as such and also all others having prisoners under their charge. The legislature also authorized the governor to make certain appointments to the state district police service without giving preference to civil war veterans; and in consolidating the police and fire departments of the city of Cambridge, the legislature provided that every promotion in those departments shall hereafter be made after a competitive examination open to those in the grade next inferior to that containing the position to be filled.

At the present time in Massachusetts there is a very decided tendency towards abolishing call-firemen service and establishing permanent forces, and a few bills were passed, against our protest, authorizing city governments to make their call-firemen, under forty-five years of age,



permanent men, without competitive examinations, provided they pass the necessary physical tests only. Such laws were framed so as to apply only to existing call-men and so as to remain in force only for a definite time within which to create the new departments. One such bill passed over the governor's veto.

Again appeared bills to abolish, or lower, height, weight and age limits, but they were all defeated.

The state Association is glad to be able to state that a bill which attempted to relieve applicants for the Boston labor service from submitting to any tests of fitness, failed to pass.

Two bills were introduced by the Spanish War veterans, one applying to the labor service, and giving an absolute preference to Spanish War veterans after Civil War veterans and women, and the other to the official service and providing that 5 per cent. should be added to the mark of every Spanish War veteran whether he passed the examination or not.

The bill applicable to the labor service was easily defeated, but the legislature passed the bill affecting the official service. This bill was vetoed by the governor, and his veto was sustained in the senate only after the president of that body had voted on two roll calls, because his vote was needed, in each instance, to defeat the measure.

There has now been three years' experience in Boston with the new charter provision requiring the civil service commission to approve the mayor's appointments of heads of departments. The mayor has appointed paid and unpaid heads, and the first year the commission failed to approve fourteen new appointments of paid heads, and four appointments of unpaid heads. The next year the figures were respectively, one and 3, and this last year all of the mayor's appointments to such positions were approved. These facts indicate not that the commission has lowered the bars, but that the mayor has learned that it is futile for him to send in, for approval, the name of a clearly unfit and incompetent person.

**From the Civil Service Reform Association of New Jersey:**

Through the adoption of the civil service law in New Jersey the spoils system has been supplanted by the merit system by which a square deal is insured to all in the public service.

A higher standard of efficiency is established in Newark, Jersey City, Trenton and East and South Oranges, which recently came under the provisions of the act.

This year saw the provisions of the civil service act adopted in the city of Paterson and county of Passaic. This was accomplished only after most heroic efforts and despite the fact that the machines of both parties, as well as the local newspapers, were organized against its adoption.

Unstinted praise is due to Mr. J. Frank Cornelius, who is associated with the National Civil Service Reform League and is also a member of the New Jersey Civil Service Reform Association, for the lead that he took in this fight and, in the mind of the writer, it is a question whether or not the provisions of this act would ever have been adopted if it were not for the yeoman service rendered by Mr. Cornelius.

In Hudson County the politicians are still laying awake nights thinking, but without success, for some method to nullify the law.

Each year means progress in New Jersey for civil service reform as some new municipality adopts its provisions.

**From the Civil Service Reform Association of New York:**

At the Philadelphia meeting a year ago the New York Association reported "that there has been during the past year a serious attack upon the civil service system in the state." We regret to report this year that the vacillating and weak-kneed administration of the civil service law by the state commission and Governor Dix has continued. Up to January 1, 1912, the civil service commission had granted nearly 300 exemptions—a record unparalleled by any commission, either democratic or republican, since the passage of the civil service law

under the administration of Grover Cleveland in 1883. While the commission during the present year has not allowed as many exemptions, its course has been open to harsh criticism. A striking illustration of the commission's attitude toward the merit system is shown in the classification of eight supervising factory inspectors in the department of labor. These eight positions were created by act of the legislature in July of 1911 and placed in the exempt class at the request of the commissioner of labor after a perfunctory hearing by the state commission. Such a storm of protest arose from various organizations, including our Association, at this action of the commission that a rehearing on the matter was secured on October 31, 1911. No decision, however, was reached at this time, nor at a later hearing held in December. Finally, on January 18 of this year, some six months after the positions were created, the commission placed four of the positions in the competitive class and put four on a spoils basis. In reaching this remarkable conclusion the commission was compelled by law to put down in black and white that for four positions competition was impracticable, while in the case of the other four of the same character competition was practicable. Governor Dix approved this violation of a great principle without granting a public hearing requested by several organizations interested in a proper administration of the department of labor. When the appointments to the exempt positions were announced by the labor commissioner, it developed that these four positions had been divided equally between Tammany Hall and organized labor, whose representatives had opposed competition.

Another illuminating example of the extent to which the Dix administration had gone to provide jobs for the faithful is in the application of a provision in the civil service law allowing the appointment to a competitive position without a competitive examination. The law declares that the civil service commission may allow this special exception from competition when in its opinion the position may best be filled by the appointment of a person of "high and recognized attainments" to a position calling for "peculiar and exceptional qualifications of a

scientific, professional or educational character." Acting under the authority of this provision of the law the civil service commission of the state of New York declared that the position of "foreman of borings" in the state engineer's office required "peculiar and exceptional qualifications of a scientific, professional or educational character" and allowed the appointment thereto of a brother of a Tammany state senator immediately after the expiration of the competitive list for this position. It further declared that such positions as custodian, janitor and messenger were positions calling for these qualifications, and soberly stated that two laborers were persons of "high and recognized attainments."

Governor Dix has without doubt been held responsible for this reversion to the spoils system. He was refused a renomination by the democratic convention simply because the leaders of the party feared defeat with him as the nominee, and previous to the convention one of the most common criticisms against him was on this very matter of his civil service record.

With these strictures on a dying administration, it is perhaps more pleasant to contemplate the prospects for the coming year. Governor-elect Sulzer, who takes office on January 1, during the last session made an excellent record in Congress as a civil service reformer. As chairman of the committee on foreign affairs he introduced the bill "for the improvement of the foreign service," with which you are all familiar. He not only introduced the bill, but succeeded in getting it reported favorably and placed on the calendar, where it may come up for a vote at the present session. He also voted against the vicious tenure of office rider—voting to sustain the President's veto of the legislative, executive and judicial appropriation bill when a majority of his party was opposed to him. In addition to this positive record, Mr. Sulzer has publicly stated that he stands "squarely in favor of the merit system and the greatest efficiency in the civil service." With this record and statement of the governor-elect, we have a right to demand the appointment of a civil service commission in complete sympathy with the merit system and we can ask for a genuine

enforcement of the civil service law and the fullest possible extension of the competitive principle.

The office of the Association, as usual, examined every bill introduced in the legislature and took appropriate action upon all that affected the merit system under the direction of the law committee.

During the last session a critical situation arose through an attempt to pass the Walker removal bill, providing for a hearing in every case of a removal of a competitive employee and a review in the courts by a writ of certiorari. The bill lay dormant in committee until within ten days of the end of the session, when it was suddenly reported in the assembly with an amendment which appeared on its face to strike out the provisions for court review, but in fact did not. Simultaneously a companion bill was introduced in the senate and advanced to third reading before being sent to committee. Two days before the close of the session the bill passed the Republican assembly, but on the final day was defeated in a Democratic senate on a motion to discharge the committee from its consideration by a vote of 23 to 16. There is no doubt but what the bill will again be introduced at the next legislature, which means another hard fight.

In New York City there has been no change in the civil service commission, which is entirely in sympathy with the merit system, with the result that the administration of the civil service law has been maintained at a higher standard than ever before.

On January 1 of this year Mayor Gaynor, in a letter to all heads of departments and bureaus in New York City, ordered that appointments should be made in numerical order from the head of the list. Up to that time this policy had been followed in only five departments under the mayor. By extending it to cover some twenty-six departments, Mayor Gaynor has taken a step which should result in divorcing the service completely from politics, at least as far as original appointments are concerned.

Perhaps the most commendable stand taken by the civil service commission concerned the classification of

the probation officers. After a hard fight the civil service commission was induced to place this position in the competitive class, but this action was overruled by a supreme court judge, whose decision was unanimously upheld by the appellate division. The city took the case to the court of appeals, largely through the insistence of President Creelman, our Association taking a very active part in the preparation of the case and filing a brief prepared by Samuel H. Ordway and Albert de Roode, of the Association's law committee. On January 23 of this year, the court of appeals without dissent upheld the competitive classification of these positions. Even after the case was won in the courts President Creelman and his associates, Commissioners Welling and Keogh, had to withstand pressure from many sources in behalf of the continuance of the temporary appointees. They took the stand that the claims of the men and women who had sought these positions in the legal manner through competitive examination, and who had been excluded from them for over a year, should be respected and, as a result, practically all of the present probation officers are persons whose qualifications have been tested by a rigid competitive examination.

The one blot on Mayor Gaynor's civil service record lies in the administration on a spoils basis of the fire prevention bureau created by act of the legislature as a result of the Asch building fire, when nearly 150 persons lost their lives because of faulty fire preventive apparatus and protection against loss of life. When this bureau was first organized in the early part of the year Fire Commissioner Johnson asked for the exemption from competition of the six highest positions in the bureau, in spite of the fact that in the uniformed force of the fire department not a single position from the lowest grade fireman to chief is exempt. These exemptions were opposed by several civic organizations, including the New York Association, with the result that only the chief, deputy chief and chief inspector were made exempt. It was decided to hold new examinations for all the other positions, and, pending the establishment of an eligible list, some ninety-three temporary

inspectors were appointed by the fire commissioner on March 15. Dame Rumor had it that one Charles F. Murphy, address 14th Street, New York City, for unknown reasons passed on many of the appointees. After making an investigation into the political enrollment of these inspectors, the New York Association brought the matter to the attention of Mayor Gaynor in letters which showed that out of ninety-three persons appointed temporarily in the fire prevention bureau, seventy-eight were enrolled as Democrats, four as Republicans, one as an Independence Leaguer, while the enrollment of ten could not be found. Further investigation disclosed that fifty-four of these appointees were active political workers as members of committees, delegates to conventions or candidates for party office. There is no room for the slightest doubt that almost all, if not all, of these persons are political hacks with absolutely no experience or training to qualify them for these positions. The mayor's answer to the charges did not meet the issue and, to our surprise, consisted chiefly of abuse and charges of hypocrisy and deceit against the Association and its officers, with whom he had been on very friendly terms. Failing to receive satisfaction from the mayor, an endeavor was made to secure an investigation by the board of aldermen, but with no success. The temporary inspectors have continued to hold their positions, as a court action has caused the postponement of the mental examination and, as a result, they have the advantage over other competitors in the coming examination of at least nine months' experience and training.

An investigation now being carried on by a special committee of the board of aldermen into conditions in the police department has brought out certain facts showing that there is need for some thorough-going reforms. With reference to the personnel of the police force, the most striking evidence has had to do with the investigation into the character of candidates for patrolman and with the matter of reinstatements and resignations. Before the present civil service commission came into office in May of 1911 the character investigation of candidates for the position of patrolman was made by a bureau of

investigation in the police department. Commissioner Waldo abolished this bureau and since then the investigations have been conducted by the civil service commission. Evidence at the hearings before the aldermanic committee showed that at least at the beginning of this system of character examination there were several instances where the commission had acted in a *very* easy going manner. It ordered placed back on the eligible list a number of men rejected, by the predecessors of Commissioner Waldo, who were shown to have perjured themselves in their application blanks. These statements had to do with arrests, dates of birth, etc. It has also been shown that the present police commissioner had reinstated patrolmen dismissed by one or another of his predecessors on very grave charges, and it has developed that it is not an uncommon practice for patrolmen to resign when faced with charges which would lead to dismissal. The investigation by the aldermanic committee is still in progress and the New York Association is engaged in an independent examination into certain of these matters. What the result of the aldermanic investigation will be is obviously problematical, but we may confidently look for considerable proposed legislation and hope that some improvement will ultimately be accomplished.

On the whole, the New York Association can report a continuance during the past year of improvements in civil service administration begun in May of 1911, when Mr. James Creelman became president of the city commission. The work of the commission is more efficient than ever before, and President Creelman, by his energy, faithfulness and intelligence, has made the civil service law respected by heads of departments throughout the length and breadth of the city service. The governorship of Mr. Dix will be a matter of the past in about three weeks and, while the next administration will be Democratic, we believe that it will not repeat the sad performance of its predecessor and that at the next meeting of the League we may be able to report that New York State is no longer a victim of a spoils governor, but has begun genuine progress in its civil service administration.



## FIFTH SESSION

Club Room of Hotel Pfister,  
Friday afternoon, December 6.

AT 3.00 p. m. the League reconvened, President Charles W. Eliot in the chair.

Mr. F. E. Doty, Secretary of the Wisconsin State Civil Service Commission, presented a paper—The Development and Application of Advanced Methods in Civil Service Examinations in Wisconsin.<sup>1</sup>

Mr. Harold N. Saxton, Chief Examiner of the New York State Civil Service Commission, presented a paper—The Application of the Merit System to Higher State Officers.<sup>2</sup>

A discussion of Mr. Saxton's paper followed, in which President Eliot, Mr. Wilcox and Mr. Bonaparte took part.

There then followed a symposium on Methods of Removal.

Mr. Robert Catherwood, President of the Chicago Civil Service Reform Association, presented a paper—The Chicago System.<sup>3</sup>

Mr. William B. Hale, Trial Officer of the Illinois State Civil Service Commission for the Northern District, presented a paper—The Illinois System.<sup>4</sup>

A discussion on methods of removal was participated in by President Eliot, Mr. Wilcox, Mr. Bonaparte, Mr. Catherwood and Miss Nichols.

Mr. Bonaparte moved that the papers on the subject of removals be referred to the Committee on Removals for report at a meeting of the Council. The motion was carried.

Mr. Sprague moved that a vote of sincere thanks be extended to the members of the Wisconsin Civil Service League, to Mr. and Mrs. John A. Butler, to the State Normal School for their hospitality. The vote was unanimously adopted.

The meeting then adjourned.

*Attest:*

ROBT. W. BELCHER,  
*Secretary.*

A banquet to the visiting delegates was tendered by the Wisconsin Civil Service League at the Hotel Pfister at 7.00 o'clock on Friday, December 6. Hon. Gerhard A. Bading presided, and addresses were made by President Charles W. Eliot, Rev. T. W. Dorward, Hon. William Dudley Foulke and Hon. Charles J. Bonaparte.

On December 6 the visiting delegates were tendered a luncheon at the Hotel Pfister by Mr. and Mrs. John A. Butler.

On December 5 the visiting delegates were the guests of the Wisconsin Civil Service League at a luncheon at the University Club.

## ANNUAL REPORT OF THE TREASURER

November 30, 1912.

Balance on hand December 1, 1911.....\$1,036 34\*

## RECEIPTS:

Associate membership dues.....	\$ 300 00
Sustaining membership dues.....	200 00
Subscription.....	5 00
Subscription from the Massachusetts Civil Service Association.....	100 00
Allegheny Co. Civil Service Association.....	50 00
Buffalo C. S. R. Association.....	250 00
Chicago C. S. R. Association.....	250 00
Connecticut C. S. R. Association.....	150 00
District of Columbia C. S. R. Association.....	50 00
Indiana C. S. R. Association.....	100 00
Maryland C. S. R. Association.....	250 00
Massachusetts C. S. R. Association.....	1,100 00
New York C. S. R. Association.....	1,000 00
Pennsylvania C. S. R. Association.....	722 34
Wisconsin C. S. R. Association.....	114 00
Women's Auxiliary of Massachusetts.....	100 00
Women's Auxiliary of New York.....	100 00
Women's Auxiliary of Maryland.....	100 00
Pamphlets Sold.....	81 10
Special Fund for Increasing Membership and Influence.....	500 00
Special Fund.....	1,000 00

Total League Receipts.....	\$7,132 44	
GOOD GOVERNMENT Receipts.....	1,136 66	8,271 10

\$9,307 44

## DISBURSEMENTS:

Salary of Secretary.....	\$1,708 28
Salary of Assistant Secretary.....	1,062 50
Salary of Second Assistant Secretary.....	475 00
Salaries of Clerks.....	1,198 67
Office Rent.....	458 30
Office expenses.....	236 69
Postage and Stamped Envelopes.....	232 38
Stationery.....	70 46
Printing.....	162 04
Traveling Expenses.....	256 20
Telephone Service.....	29 40
Special Fund for Increasing Membership and Influence.....	456 27
Special Committee on Extension of Civil Service Reform.....	224 78
Special Fund.....	183 63½

Total League Disbursements.....	\$9,753 70	
GOOD GOVERNMENT Disbursements.....	898 14	7,651 84

Balance on hand.....\$11,655 60

E. &amp; O. E.

A. S. FRISSELL, Treasurer.

\*Of which \$304.50 is Special Fund of the Committee on Extension of Civil Service Reform, and \$7.03 is Special Fund for Increasing Membership and Influence.

†This is exclusive of \$475.00 salary of Second Assistant Secretary, paid out of this Fund and itemized above.

‡Of which \$79.62 is Special Fund of the Committee on Extension of Civil Service Reform; \$50.78 is Special Fund for Increasing Membership and Influence, and \$41.37 is Special Fund.

Audited and found correct,

GEORGE R. BISHOP.  
RUSSELL H. LONES.

Committee.

January 31, 1913.

## REPORT OF THE COUNCIL

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### TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

Soon after the last Annual Meeting of the League the Council was deprived of the valuable services of its Chairman, Mr. Richard H. Dana, who resigned by reason of intended absence from the United States. As the President of the League was likewise abroad and a Presidential campaign was approaching, it seemed wise to fill Mr. Dana's position temporarily with a person having had experience in the discharge of its duties, and Mr. Charles J. Bonaparte accepted an election with the understanding that he should serve only until the choice of a successor by the new Council. A yet more serious loss to the League has been the resignation on September 19 last of Mr. Elliot H. Goodwin, its experienced, zealous and capable Secretary. He has been succeeded by his late Assistant, Mr. Robert W. Belcher, and the latter's place has been filled by Mr. George T. Keyes, formerly the Second Assistant Secretary.

The year has been one of unusual responsibility and labor for the League's officers. For the first time, since the passage of the Pendleton bill in 1883, a provision passed both Houses of the Congress, which, if it had become law, would have seriously impaired the application of the merit system to the classified federal service. This indefensible measure, which sought to limit to seven years the tenure of a large number of public employees, was strenuously resisted by the League and finally defeated by President Taft's veto of the appropriation bill containing it. There is grave danger that some similar legislation may be attempted under the incoming Administration; fortunately, President-elect Wilson, in response to a letter from the League, placed himself unequivocally in opposition to any such scheme.

President Taft has rendered a further service to good government and pure politics by classifying the 36,000

fourth-class postmasters not covered by the classification of President Roosevelt. This measure seems the more appropriate because many complaints have reached the League of pernicious political activity and offensive partisanship on the part of Federal officeholders during the Republican primary campaign in that portion of the Union excluded from the operation of President Roosevelt's orders, namely, in the states south of the Ohio and west of the Mississippi Rivers. As many of these complaints were investigated as the resources of the League permitted and a report on the subject is expected at this meeting.

Various bills were introduced in one or the other House of Congress to establish a system of retirement for those in the classified federal service; none became laws and none seemed to the Council worthy of support by the League. President Taft has announced his conversion to the plan of compulsory contribution by the employees towards a retirement fund; but, among the employees themselves there is great hostility to this plan, and its adoption in any form would probably cause widespread discontent and be followed by renewed agitation in favor of a system of civil pensions pure and simple. Spoilsmen have taken advantage of the very general aversion of the public to such pensions to urge the virtual destruction of fixity of tenure in the classified service, and the situation is, on the whole, unsatisfactory. Two facts appear to be well established and relevant in this connection: in the first place, it is clear that, in so far as senile inefficiency exists at all in the classified federal service, it is found almost entirely among men and women not originally admitted through competitive tests but covered into the service when it was first established or first extended to new branches: a civil servant taken from the top of an eligible list is far more likely to leave public employment too soon than to stay in it too long. Secondly, it has been shown no less clearly that, while senile inefficiency undoubtedly does exist in the classified service, its extent has been greatly exaggerated by the enemies of the merit system and the friends of civil pensions, and the actual loss it occasions to the government is extremely moderate; while its tendency is, or soon

will be, to diminish and nearly or quite disappear, as the old employees, originally chosen through favoritism, gradually die off.

By a provision engrafted on an appropriation bill at the last session, associations of employees in the classified service are now allowed to affiliate with labor organizations, if, by so doing, they assume no obligation to strike; whether the restriction will prove enforceable or the permission to thus affiliate well calculated to preserve discipline and promote efficiency in the force, experience will show. The same provision permits free communication with Congress by subordinates in the public service as to matters affecting their interests, and prohibits their removal without notice and opportunity for written answer, substantially as provided in the existing rule on the subject. This rule had been previously restored by President Taft, at the suggestion of the League, to its shape prior to the modification made by President Roosevelt in 1907. Neither of these changes in the law is likely to prove of much practical consequence in itself; but, as a matter of precedent or policy, the expediency of neither is free from doubt.

The sentiments of Congress towards the merit system were further indicated by provisions authorizing the appointment of extra clerks in the pension office "without complying with the requirements of the civil service law," and giving temporary employees in the census bureau (originally selected through favoritism) a preference over those on the eligible lists in appointments to the permanent force. The League resisted both of these mischievous measures strenuously but unsuccessfully; its officers saw with pleasure, however, the second so amended as to require the preferred temporary employees to be also on the eligible lists. A large number of bills, some good, some bad and some of doubtful merit, affecting the application of civil service reform principles in the Federal service were watched by the League after their introduction into the House or Senate, and a good deal of work was done in connection with some of them, but none became laws. A desirable provision was, however, added to one of the appropriation bills whereby the keeping of a system of ef-

iciency records has been directed in the classified service to be used as a basis for promotions, demotions and dismissals, a reform regarded as of great value by earnest friends of enlightened administration.

The President expressed a desire to extend the classified service so as to include the employees of the District of Columbia, but was deterred by an adverse opinion of the Attorney General. He has repeated on several occasions his strong recommendations in favor of the classification of the higher federal officers and practically the entire civil service, but greatly to the regret of all friends of civil service reform Congress has taken no action on these recommendations.

Several cases of somewhat scandalous alleged political activity by Federal officeholders in violation of the principles of civil service reform have been called to the attention of the League's officers, and, in certain of them, the apparent facts have been placed before the President. Unless this form of misconduct in office, when shown to exist at all, shall be promptly and adequately punished, it will be always difficult to persuade officeholders and the public that the offence is regarded by the Administration as really serious.

The number and character of exceptions to the rules continue about the same as for several years past: in so far as there is any change, it would seem to be a slight change for the better. These exceptions are contemplated, as well as permitted, by the law; but there is always a danger lest they may grow into an abuse and establish some mischievous precedents. The League may congratulate itself on having done some good work looking towards the elimination of this danger.

At present the classified, or virtually classified, Federal service includes some 295,000 public servants out of about 391,000 civil officers and employees. Of the remaining 96,000 about 10,000 are Presidential appointees, about 3,500 employees of the census bureau, about 13,000 unclassified post office clerks, about 28,000 laborers and others employed on the Panama Canal, some 20,000 unskilled laborers and some 21,000 excepted from examina-

tions under Schedule A or subject to non-competitive examinations only.

The change of party control at Washington will, it is to be apprehended, lead to serious assaults upon the integrity of the merit system and, unless the next four (and especially the next two) years belie all previous experience, the League will soon be called upon to meet many and persistent attempts to evade, undermine or overthrow that system in the Federal service. In resisting these attempts, it is entitled to hope for the cordial sympathy of the incoming President and the firm support of public opinion. The magnificent victory in Ohio, where a civil service reform amendment to the State Constitution was adopted, by more than 100,000 majority, is only the most striking of many proofs afforded by incidents of the past year that the American people now wish and intend to have a civil service worthy of a great nation in the Twentieth Century.



## RESOLUTIONS OF THE NATIONAL CIVIL SERVICE REFORM LEAGUE

### I

The National Civil Service Reform League, gathered in Milwaukee for its thirty-second Annual Meeting, finds cause to emphasize the rapid growth of the civil service of this country, and its expansion into new fields of government activity in the nation, states and cities, so that it touches most intimately the business prosperity and the health, liberty and happiness of all the people.

This fact makes it the more necessary that the positions thus created, so powerful for good or evil, should be safeguarded by the merit system up to the very highest offices. Without such protection, our new public activities would be fraught with more danger than promise of good.

Therefore, the League takes pleasure in recording the marked progress of the civil service reform movement, and the extensions of the merit system during the past year, especially as shown by the great popular vote in Ohio. But the League urges still further extensions and more thorough application of the merit system, until spoils practices shall be rooted out from our governments, both great and small, and the principles of appointment and promotion for merit shall become of universal application.

### II

In the Federal service the chief gain is the extension by President Taft of the classification of fourth-class postmasters over the whole country, a plan which had been tried previously with success in the more thickly settled portions.

President Taft has frequently urged the necessary legislation to enable him to bring into the classified executive service many of the higher offices, including practically all except cabinet officers, and those having to do with the

determination of government policies. The League strongly urges the passage of such legislation.

Such extension of the classified service would put a stop to political activity on the part of officeholders, if existing rules were properly enforced. But without awaiting such extension, the League urges the necessity of suppressing all partisan activity among officers who are not yet in the classified service. The past year, with its presidential contests, has furnished another illustration of the evils and dangers involved in such activities. It is clear that in the future no party and no individual can gain by such service on the part of public employees. Even the suspicion of it becomes a source of weakness. It is inevitable that such activity should lead to the neglect of public duties, and cause scandal and public damage.

A careful survey of the whole service of the United States has been made by the Economy and Efficiency Commission, appointed by President Taft, which reveals with great force the injurious effects of political influence and interference upon administrative work.

We commend the new Federal law requiring the United States Civil Service Commission to make a systematic effort to base promotion and even continuance in service solely upon continued efficiency and merit, and we urge upon Congress the need of adequate appropriations to give effect to this provision.

The League again urges the passage of the pending bill for the improvement of the foreign service, drawn by the State Department under direction of the President and now reported favorably in the House of Representatives. This bill does not comply fully with the competitive principle; but it would classify the diplomatic service, as the consular service was classified under President Roosevelt, and would put in permanent form, with the sanction of law, the scheme of examinations for appointments in both consular and diplomatic services and of transfers and promotions for merit, which at present rests upon executive orders issued by Presidents Roosevelt and Taft. The effect of these orders has been a marked improvement in the personnel of our foreign representatives, and in the quality of their work, and to a large extent to reclaim our

foreign service from the waste and blight of the spoils system.

The League once more records its opposition to measures fixing a definite term of office for government employees, like that which passed the late Congress, but was defeated by a presidential veto. If such a measure is again introduced, the League calls upon all friends of good government to aid in resisting it.

The League is opposed to all preferences of individuals and of special classes in making government appointments. It stands upon the firm ground that such appointments in all cases should be made solely because of the merit and fitness of the appointees. Public debts to those who have rendered valuable services in other fields, whether military or civil, should be recognized and paid in other ways, without demoralizing the civil service through any scheme of preferences.

### III

The League records its gratification at the extension of civil service reform and the merit system in the public service of many states and localities. Progress in these directions during the past few years has been more rapid than heretofore; but there is still a vast territory to be covered and need of an enormous amount of propaganda work.

### IV

The League repeats, and again emphasizes its declaration that the public interest imperatively requires the choice as civil service commissioners, whether federal, state or municipal, of men in hearty sympathy with civil service reform, of unimpeachable integrity and sincerity of purpose, and of strength and independence of character, such as will insure a fearless discharge of their vitally important duties. To this must be added that such commissioners should in all cases be provided with sufficient funds and with a sufficient force of skilled employees, to enable them to do their work properly.

## V

The League looks with confidence to the next President of the United States, long a supporter of the merit principle, to advance that principle still further during his term of office, and to perfect the system upon which it rests, not permitting any backward step.

## COMMEMORATIVE RESOLUTIONS

The National Civil Service Reform League has learned with great regret of the death of Silas W. Burt. As a member of the official staff of the Governor of the State of New York, he took an active part during the Civil War in forwarding, from the State, the troops and supplies that did so much to achieve the triumph of the Union cause. Subsequently as Naval Officer of the Port of New York he administered the responsible duties of that position with efficiency and success. In the course of this official administration, he had actual experience of the evils of the spoils system which then prevailed, and the consequent injury to the public service, and he became one of the pioneers in the movement for civil service reform. He conducted the first competitive examination ever held in the federal service. He was from the time of its reorganization, in 1881, a member of the New York Civil Service Reform Association, was for many years a member of its Executive Committee and at the time of his death its President. He was present at the first meeting of the League at Newport, and took part in its organization, and served long and faithfully as one of its Council. He was for three years chief examiner to the Civil Service Commission of the State of New York, and was for six years a member of that Commission.

For forty years he has been a most intelligent and faithful advocate of the cause of civil service reform and contributed in large measure to the success which it has achieved. He was always courageous, unwearied and hopeful. Absolutely upright and faithful himself, in the discharge of all official duties, he realized how important these qualities are and how essential it is that the merit system should be administered so as to obtain them for the public service.

We tender to the family of our deceased friend and fellow laborer our sincere sympathy and add the expres-

sion of our faith, that in the world to which he has gone there is also noble work for him to do; and of our assurance that the good deeds of such a man, like the soul itself, are immortal.

Resolved, that a copy of this memorial be transmitted to the family of the deceased and that the same be published in **GOOD GOVERNMENT**.

In the death of Mrs. Sarah Platt Decker on July 8 the League and the Nation lost one of the foremost workers in the cause of civil service reform. As a member of the Colorado State Civil Service Commission and Board of Charities and Corrections, Mrs. Decker gave freely of her high ability and human understanding to advance the merit system. As President of the General Federation of Women's Clubs and Chairman of its Civil Service Reform Committee, she used her powerful influence and unusual gifts of heart and intellect to arouse women in every state to the crying need for protecting the helpless inmates in public institutions from the evils of the spoils system. She may well stand as an ideal woman in public life—clear of vision, untiring in service, in all ways a lover of mankind.

## Address of Welcome

HON. GERHARDT A. BADING, MAYOR OF MILWAUKEE

One of the pleasant duties that falls to the lot of the chief executive of a city is to welcome strangers, visitors and guests. I am here for that purpose this morning. I wish to extend to you greetings, and a sincere and hearty welcome on behalf of the administration, and on behalf of the citizens of Milwaukee. We are always delighted to have visitors with us, because we are proud of our city. We believe that we have the most beautiful city on the Great Lakes. It is a city that is progressive and excels in industrial development and scenic beauty. I am only sorry to see that the weather conditions today are such that you will not be able to see much of our city and enjoy it. However, I hope your stay will be long enough to enable you to see at least a portion of our city and leave here with an impression that coincides with our own, that we really have the most beautiful city on the Great Lakes.

I realize that you are here for exceedingly important business. I personally am a firm believer in civil service reform. I believe in the merit system entirely. However, I would like to say that people not holding official positions do not realize the difficulties that confront the public officials when they try to carry out the merit system in its entirety.

I was elected Mayor of the city of Milwaukee last spring, on a platform that promised a dollar's worth of service for every dollar's worth of taxes; and I am conscientiously trying to carry out this pledge; the appointments that I have had occasion to make so far, I believe, were made entirely because of the qualifications that the men whom I appointed possessed. I believe that all subordinate positions should be filled by men who have the qualifications to carry out the work of the departments to which they are appointed.

It is, however, very difficult, as I pointed out, for public officials to carry this policy into effect; and one of the difficulties arises from the fact that public officials are elected for too short a period of time to carry out a policy of that kind. We have got to take into consideration that politics have been the rule in making appointments for years and years, and that is an exceedingly difficult thing to overcome; and when men are refused positions merely because they have no qualifications, but have, on the other hand, a large following and political influence, they go out, and the result is that the administration is discredited in those circles that always make it a point to work during election time.

I have been severely criticised by political followers, but I have paid no attention whatsoever to them; and my policy shall be in the future to appoint men solely for qualifications.

At the present time I am endeavoring to establish a bureau of municipal research; and I believe that the establishment of that department will aid us greatly in bringing about reforms and establishing permanently a system of merit.

A peculiar situation exists in connection with my endeavor to appoint or establish this bureau of municipal research, in so far as that I have searched the country far and wide to find a suitable man for the position of director of this bureau. I succeeded in finding one, and I was informed that the honorable, the common council, would not confirm him because he was not a Milwaukeean. This is merely one instance that I would like to point out to you to prove my assertion that those in political position, those in public office, have difficulties to contend with that are not realized by those outside of positions of that kind.

I am not here to discuss anything connected with your program. I merely want to give you the assurance that as far as the present administration, or at least the head of the administration, is concerned, the administration is heart and soul with you in the work that you are carrying on.



I again extend to you greetings and a sincere welcome. I hope that you will have a very profitable meeting, and that the meeting and the results of your labor will result in further legislation, strengthen civil service and thereby promoting the merit system in public office. I thank you.

## Response to Address of Welcome

PRESIDENT CHARLES W. ELIOT

Mayor Bading, the League is much obliged to you for your friendly greeting, and for your welcome to this beautiful city.

The League was founded and set up on the extreme eastern shore of this country, at Newport, R. I., on the Atlantic Ocean. Now, we have been a whole generation at work on promoting reform in the civil service. It was an eastern movement at the start; it has become a large movement in the Middle West, and it is starting on the Pacific Coast.

We began with efforts to improve the national civil service. Gradually the movement has extended to states and cities; and of late years some of the most important new developments in regard to a reformed civil service have come from states and cities. Cities like New York and Chicago have demonstrated the perfect success of the merit system in securing not only good men to fill the lower grades of the public service, but good men to fill the very highest places; and this League recognizes that we owe a great debt to the state commissions and the city commissions, whose work began much later than the work of this National League.

But on the whole the most encouraging symptom of progress in this great moral and material reform, is the change in public opinion which has taken place within the last fifteen years. It is, indeed, a prodigious change. One realizes it when Ohio rolls up more than a hundred thousand majority for putting civil service reform and the merit system into the constitution of the state!

I doubt not that you, sir, will be warmly supported by the voters of Milwaukee in your efforts to improve the civil service of this city.

One of our great difficulties has been that men in public office did not believe that the public opinion of the

country was really in favor of civil service reform. But it seems to us that even the political opportunities and the ear-to-the-ground thinkers will be able to hear the heavy tramp of that procession in Ohio.

We believe, and we beg to assure you, Mr. Mayor, that an overwhelming majority of the voters of the United States now stand behind this movement, the evidence of this fact being given in the political action of the voting masses, not only in national elections, but in state and city elections.

We thank you, sir, for what you have told us about your own relation to this reform, and we derive encouragement from the fact that holding these opinions, you are Mayor of Milwaukee.

## The Competitive System for Higher City Officers

HON. WILLIAM DUDLEY FOULKE

The application of competitive methods to the federal civil service is now drawing near its consummation. If we can maintain the present classified service in its entirety, including fourth class postmasters; if we can apply it to other postmasterships and to collectorships and strengthen it still further in the consular and diplomatic service; if we can extend it to a few of the higher remaining offices including bureau chiefs; if we shall perfect a complete system of promotion with appropriate efficiency tests for weeding out the incompetent as well as for rewarding the meritorious, we shall have done the bulk of our work as far as the general government is concerned.

But the general government does not embrace the larger part of our public service. The states and most of all the municipalities within those states employ in the aggregate more officers and employees and are in closer touch with the average citizen than the federal government. We can have no thoroughly efficient state and municipal governments until we have everywhere a state service and municipal service in which every purely administrative official is selected and retained solely on account of his merits and his fitness for the place he is to fill and until politics is wholly eliminated from administrative work. Politics is more injurious and less beneficial in our cities and other small municipal units than in any other place. National politics as such has no right there at all. In the nation we contend for certain general principles and policies and our candidates for the presidency and for congress are the instrumentalities we select for carrying out these principles and policies, but in a city election we choose officials, not to carry out a national policy but only to do the things

which we consider best for the city. City elections where national issues or national party names have been the standards of selection have almost uniformly been followed by the choice of men ill fitted for the municipal duties which they have been selected to perform. It is as if you were to select a family physician on account of his views as to the atonement or trans-substantiation or his belief in the nebular hypothesis of the solar system. Such selection would be no more absurd than to elect a city engineer on account of his views on the tariff or his belief in Republican, Democratic or Progressive national principles.

But this declaration has been made so often and it is so self evident that it has become almost a political axiom. Hardly anyone will controvert it. The only trouble is that in most of our cities we still do not live up to it. We have our national political parties in city government. Yet this outworn political system is breaking down. In a great part of the two hundred or more cities which have adopted the commission form of government a non-partisan ballot is provided and city officials are beginning to be elected upon questions of city policy and not of national or state policy. This is a tremendous stride.

But even city politics when divorced from those of the nation and the state still afford quite a wide field for the spoils system and for inefficient if not corrupt administration. The personal or political adherents of certain candidates may still run the government on a spoils basis for the benefit of a personal or party clique, and inefficient or undesirable city officials may still be selected to support the ring or the boss in the management of the city government. It is only when we divorce all purely administrative duties from every kind of politics, from that which determines city policies as well as that which stands for national policies, that we can expect the best results in city government.

Now the only way to divorce city administration from politics is through the competitive system, by which men are selected for administrative offices not on account of their support of any candidate or group or party but on

account of their individual merit and efficiency in performing the duties of the place for which they are chosen. The line must be sharply drawn between the few officials who determine the policy of a city on the one hand and those who do the administrative work upon the other. The first class of men are politicians, let us hope in a higher and better sense than those who have heretofore controlled our city governments. The second class are administrators who should have nothing to do with any kind of politics, and they should be composed (especially those at the head of the different bureaus) of experts, men who have special knowledge of the particular branch of government in which they are engaged. The cities of Germany, which are far better managed than our own are under the control of experts from top to bottom, from the burgomeister down to the head of the smallest branch of city administration. Perhaps we cannot go as far as that at the present time and select our mayors wholly on account of their expert qualifications but we can do this at least in regard to the chiefs of the different branches of administration who act under the mayor in the management of city affairs.

This need of expert service is constantly becoming more manifest. The time is past when "any man will do for any place." The city attorney must be a genuine lawyer and of high standing and not selected for political reasons where legal qualifications are secondary. The city health officer must have high professional qualifications. He must fully understand the new methods of sanitation, the character of epidemics and other diseases and the most scientific methods of preventing their spread.

The city controller must be an expert in finance and accounts. He must understand and apply a system of uniform bookkeeping which will fully show the exact financial condition of the city. He must be able to prepare a proper budget and aid in the establishment of such a system of municipal taxation as will secure the necessary income with the least burden on the citizens. He should be able to advise the men who determine the city's policies as to the character of the franchises and

public contracts so as to secure the best returns for the use of the city's streets and other municipal privileges.

In cases where there are public utilities commissions the highest kind of expert service is required for the supervision and regulation of the water works, light, heat and power companies, telephones, street cars, etc. Only by the best expert service can the abuses of private monopoly be overcome and fair rates and conditions reasonable for the public be secured. Even the street cleaning department needs an expert at its head who understands the relations between cleanliness and sanitation, who knows in what way the erection of buildings may be accomplished with the least inconvenience to the use of the streets and how the unnecessary causes of dust and filth may be eliminated. He should understand the character and relative value of appliances for the removal of dirt and arrange the hours of work and organize his force so as to accomplish its object with the least inconvenience to the public. In Germany the department is under control of an engineer. So should it be with us.

There too the building department is so efficient that the damage by fire is only a small fraction of that which occurs in this country.

It has been shown that infant mortality may be diminished by nearly one-half by efficient expert control of the milk and food supply in a city.

We must have the best expert service if we would really reform our city governments. How shall we get it? We can not get it by popular election. The people should be supreme in all questions of city policies but our citizens cannot know the qualifications of a great number of persons for whom they vote on a blanket ballot. The choice of these men by the city council or even by the personal discretion of the mayor is so far controlled by political bias and personal prejudice and sometimes by ignorance as to the qualifications of candidates that bad appointments are often if not generally made.

Now we must apply to city government the same principles and methods which have eliminated the spoils system from most of the places in our federal govern-

ment. The personal discretion of those in authority and the dictation of congressmen led to the spoils system and the remedy was found in the civil service law and the competitive system. The same plan must be adopted in our cities if we would avoid the same evils.

A good many of our cities have adopted civil service methods as to subordinate places but not as to the higher positions and very commonly the civil service boards which select the candidates are appointed and removed by the mayor, the council or other political head of the city. This plan is fatal to all independent action by the city civil service board. The administration is weak and the rules are imperfect, the exceptions numerous and political influence still largely prevails.

Two important steps are therefore necessary. The civil service board should be made independent of all political control and the highest places as well as the lowest should be made subject to civil service rules and to competitive investigations.

I use the word "investigation" in distinction to the term "examination" which has hitherto prevailed. Examination is a schoolmaster's term and a test of qualifications for these high places ought not to be a mere schoolmaster's test. It used to be thought and truly that the best men available for high positions, professional, administrative and technical would not submit to competitive examinations. But when these examinations became an investigation of one's past career and achievements and of general experience, education and qualifications these objections no longer prevailed. The method of selection for these offices became essentially the same thing as an investigation by a private employer on a large scale as to the qualifications of the man whom he proposed to appoint.

What does a railroad manager do when he seeks a superintendent for one of his divisions. He will find out in the first place whether there is any man now in the service who can appropriately fill the situation. If he finds such a man he will appoint him, for such an appointment will stimulate the efforts of others in the service and will be better than the selection of an out-



sider under approximately equal conditions. But perhaps he cannot find what he needs. Then he will seek from among outsiders the man who has best done the sort of work he wants done. He will find out who have been doing similar work for other companies or individuals and how well they have succeeded. He will find out in a rough way how successful each man has been in the management of subordinates, how tactful, how reliable, what new measures he has originated, what his plans have been and how well he has carried them out.

In city employments the same kind of an investigation should be made. But inasmuch as the mayor or other appointing officer holds his place for a short term only and is subject to political influences, he should not be allowed to act purely at his own discretion, but the investigation should be made according to certain fixed rules and he must appoint the man best qualified as shown by the results of such investigation. To let him use his personal discretion will result, as it always has resulted, in political appointments, but the investigations themselves should be conducted on the same system as that which he would apply if he were sure to be disinterested and free from political bias. Every step in this inquiry ought to be a matter of public record for it is the public which is most interested in securing the best appointment.

But how shall expert qualifications be determined? Naturally the civil service board which makes the investigation cannot know all the things most needed in expert service of high character but it can always call in men who are distinguished in that particular line of service to make the enquiry. If it be for engineers, call the best engineers available for examiners. If for attorneys let members of the legal profession of high standing conduct the enquiry. In the federal service these things have been done with eminent success and professional men feel that there is no degradation in submitting to an investigation of their past experience and education at the hands of other professional men of high rank. Hence there is no dearth of competitors.

In the Federal service such examinations have been

eminently successful. The Supervising Architect of the Treasury, in charge of the construction of our most important public buildings was thus appointed as well as chemists and engineers in the various branches of the service, Examiner of Accounts in the Interstate Commerce Commission, forest pathologists, Associate Statistician of Interstate Commerce Commission and Indian Reservation Superintendent.

Let us consider the examinations for the latter place. The applicant was required to refer to ten persons, five of whom had been in subordinate or superior business relations with him and had personal knowledge of his business acquirements. Information was required as to institutions where he had studied, the courses and degrees, as to his special training in business management, political science, economics, etc., and also a statement of his experience in managing men and a description of his methods of dealing with them. Education counted three points, and experience four in a total of ten. A thesis setting forth what he would do if appointed was also included. For some positions oral tests are required to give the investigators better knowledge of his personality.

Legal positions have been filled in similar fashion. In Kansas City the Associate Corporation Counsel is thus chosen, in New York and Buffalo the Deputy Asst. Corporation Counsel and in Wisconsin all but one of the Deputy Attorneys of the state. In New York the Chief of the Fire Department was selected on a competitive promotion examination. In Philadelphia the superintendent of the General Hospital, the Chief of the Bureau of Street Cleaning and nine Commissioners of Highways were chosen by similar methods, and in Chicago the Auditor, Deputy Controller, City Architect, City Engineer, Superintendent of the Bureau of Water, Streets and Sewers, Deputy Commissioner of Buildings and Asst. Fire Marshal. The librarian of Chicago's great public library was selected in a competitive test where the chief librarians of the country were examiners. These examinations have been followed by the most admirable results.

Not only should experts be selected by competitive examination but they should be retained indefinitely so long as they do their work well, subject to removal only for misconduct or inefficiency.

It is to be hoped that the day is rapidly passing when officials in our city government shall be selected for any other reason than their ability to discharge with skill and fidelity the duties of the offices to which they are chosen.

## The Merit System and The New Democratic Party

CHARLES W. ELIOT, PRESIDENT OF THE NATIONAL CIVIL SERVICE REFORM LEAGUE

The National Civil Service Reform League meets this year under circumstances of unusual interest. After an interval of sixteen years the Democratic party is again coming into power, and is to take over from the Republican party control of the entire national civil service.

What policy in regard to the merit system will the Democratic Congress and Administration think it for their interest and the interest of the country to pursue?

The merit system, as it now exists, is by no means the creation of the Republican party alone. George H. Pendleton of Ohio, author of the early bill which bore his name, was a Democrat. President Cleveland was a civil service reformer through all his public career. When Governor, he signed the New York law of 1883. His first message as President contained a strong statement on behalf of civil service reform. In his first term he made large extensions of the classified service, and took measures to prevent political activity on the part of civil servants appointed under the merit system. During his second term he again made important additions to the classified service, and included among civil servants to be appointed on the merit system chief clerks and chiefs of division in the Washington bureaus, thus reaching the limit imposed by the Constitution and the laws that make all higher appointments than those subject to confirmation by the Senate. He made the most sweeping extensions of the merit system made by any President of the United States up to that date, repeatedly declared his faith in civil service reform, and held that faith to the very end of his administration.

President McKinley always regarded himself as a civil service reformer; but he apparently thought that Presi-

dent Cleveland's extensions of the merit system had been too sweeping for the immediate convenience of the Republican party, so that he gave back to the patronage system several thousand places which President Cleveland had put on the merit system. Among these places restored to patronage were several of the higher kinds of office. President Roosevelt and President Taft both believed in the merit system as promoting honesty and efficiency in the national administration, and both made important extensions of the classified service. President Roosevelt put into the classified service fourth-class postmasters east of the Mississippi and north of the Potomac and Ohio; and President Taft has recently added all the rest of the fourth-class postmasters. President Taft has also ordered that assistant postmasters shall be selected on the merit system; and this order will have wide and lasting effects, because postmasters ought to be promoted, as a rule, from among the assistant postmasters, as the postmaster of New York has already been. Moreover, all the lower grades of the post office service will be favorably affected by the opening of the assistant postmasterships to persons who prove their merit in the lower grades of the post office service. President Taft's act has made it possible—for the first time in the history of the post office department—for a young, ambitious, and capable American to enter the postal service at the bottom with the stimulating hope in his heart of rising by merit to an assistant postmastership, and with a glimpse of the highest posts in the department beyond, not, as now, wholly impossible of attainment. So long as the highest posts in the civil service are inaccessible from below to persons of proved merit, so long competent young men will not care to enter the lower grades, or, if they enter them for temporary purposes, they will soon quit the service. Every career open to merit is the fundamental principle of effective organization, whether civil or military. Through two Democratic and all the Republican administrations since President Cleveland's first term Congress has made the necessary appropriations for maintaining the National Civil Service Commission—not always willingly, sometimes grudgingly; and yet the merit system has been

maintained for the lower grades of the national service and has been gradually, though not steadily, extended.

This League at its annual meeting has usually recorded with joy some advance of the reform, and also the defeat, through its influence, of attacks on the merit system, made sometimes in Congress, sometimes in administrative departments of the government. That sort of record we have to make today. We welcome some improvements effected during the year 1912, but also have to accept the fact that several attacks on the merit system, made in Congress, were defeated with difficulty, and that one such attack, originating in the Senate, succeeded in spite of the protests of the United States Civil Service Commission and of this League.

President Cleveland and his Republican successors have been friends of the merit system, and have helped forward this most fundamental of all reforms; but all have made use of the higher civil service offices, which are still filled by the patronage method, to further the supposed interests of their respective parties, and to procure the passage through Congress of measures which they had at heart; and all have used the patronage officeholders to pack and dominate party committees, caucuses, and conventions. All these Presidents without exception have made appointments for political purposes. They have appointed men to office who never could have met any reasonable test of merit or fitness; and all have made appointments by Executive order of persons who had to be specially exempted from the operation of the rules governing the classified service, that is, the service filled by appointment for proved merit. In other words, neither Congress nor the Presidents have adhered consistently to the fundamental principles of the merit system; and both Congress and the administration have from time to time interfered with the application of, or violated the rules of the merit system, even in those grades of the service to which the rules are applicable by law.

In the meantime, a tremendous change in public opinion has been going on throughout the country concerning the reform which this League has advocated for thirty-three years. The mass of the voters in the United States

accepted for a long time the spoils doctrine as reasonable and under the circumstances inevitable. Public opinion was tolerant of sweeping changes in the civil service whenever the party in power was displaced by a new election, and of the inefficiency and waste which resulted from frequent changes in the entire civil service of the country. The public did not understand how the increasing complexity of the work of the federal administration made rotation in office the source of increasing waste and loss for the government and the people. For many years the public looked with equanimity upon the spectacle of national officeholders giving their time and thought to party work, or to the service of the men to whom they owed their places. The machine and boss were supported from the salaries of the public offices which had been filled through their agency, and from assessments levied on candidates for office, and on persons or corporations whom the machines and bosses had helped to money from the public treasury through legislative or administrative favor. Gradually the American public has been aroused from their indifferent or apathetic attitude towards a great moral and material evil, and has begun to pay attention to the losses and wastes the nation suffers through the incompetency and inefficiency of civil servants selected without adequate tests, appointed by personal favor or for party service, and under allegiance not to the national service but to a personal or party patron.

The signs of this change in public opinion are numerous; and yet many of them seem to have escaped the attention of the active politicians of both parties. The mass of the people today would look with disgust and apprehension on a sweeping change throughout the national offices on the incoming of a new party or a new administration. For instance, the business men of the country, whether importers or exporters, would look with extreme disfavor upon a sweeping change in the consular offices of the United States throughout the world. Business men now regard consuls as agents for building up the foreign trade of the United States; and they are well aware that a consul is ordinarily valuable in proportion to the length of his service, and to the means of communication he has

acquired with the people among whom he lives. It would be rash for the Democratic party, now coming into power, to interfere with, or abandon, the half-way merit system introduced into the consular service by the Executive orders of Presidents Roosevelt and Taft; for that system, though not thorough or complete, has built up the morale of the service, and led to the employment of a much better class of men than formerly sought the consulships. The business interests of the country have been better served by the consuls appointed on examination than ever before, although the new rules rest on Executive orders only and not on statutes. The improvement in the service has been so great within the last twelve years, and its results have been so favorably regarded by all the American chambers of commerce and trade organizations, that wholesale ejection of the present consuls from office, and their replacement by inexperienced political appointees would seem to be out of the question.

The general sentiment of the public has changed strikingly with regard to the value of experience in the incumbents of the higher national offices. The people now believe that experienced, expert men should be employed as heads of all the government establishments, that is, in collectorships, deputy collectorships, postmasterships, and marshalships. In all the great manufacturing and transportation industries of the country the people see superintendents and managers selected with the greatest care and kept in office as long as possible. The people see that every complicated business into which applied science enters largely as a factor needs the services of men selected for fitness and merit, trained and developed by experience, and devoted to the business with a full sense of security and honor in their places. They perceive that the business of the government is extremely complicated in its higher departments, hard to learn completely, and needing the same faithful and continuous service which private enterprises profit by and reward.

Within the past fifteen years the civil services of the states and cities of the Union have attracted a great deal of public attention and great improvements have already been made in many of them. With the exception of the



national letter carrier service, these local services are nearer to the people than the national service; and the improvements already effected therein have been more instructive to the public than those in the national service. Everybody knows nowadays that teachers, firemen, and policemen should be selected and promoted on the merit system, kept in office during good behavior and efficiency, and pensioned on disability. Some of the states and cities have applied the merit system to offices of high grade; whereas in the national service that system is applied only to comparatively subordinate places. The wide adoption of the commission form of government for cities affords a good illustration of the change that has taken place in the public mind concerning the advantages of the merit system over the patronage system of appointment. It is of the essence of the commission form of government that a small body shall be elected by popular vote to determine the general policies of the city, and to select and appoint competent experts as the executive heads of the various city departments. The commissions elected in cities of fair size have been expected to procure for the administrative work of the cities civil servants selected for merit and kept in office during good behavior and efficiency. The people have seen many instances of the superiority of this method of getting a city's work done to the former method of trying to accomplish it through inexperienced and unfit men elected by popular vote, or appointed by an incompetent and unstable authority. The recent great majority in Ohio for putting the merit system into the state constitution is a striking indication of the trend of public opinion in favor of civil service reform. It seems likely that the political opportunists and "ear to the ground" thinkers will be able to hear the heavy tramp of that procession.

Still another influence has affected the public mind in regard to the expediency of selecting public officials with care, and then retaining them for long service. Within the past ten or fifteen years there has been manifested a greatly increased desire for liberal expenditures of public money to promote the security and health, and the enjoyments of the less fortunate classes of the population. The

rich, the poor, and the great middle class who are neither rich nor poor, all alike feel this desire, and all alike see clearly, as the result of recent experiences, that the desired expenditures cannot be made, if incompetent and inefficient managers and agents are allowed to expend the money raised by taxation. The wastes and losses of inefficient administration are so great, that when the most pressing needs of the community have been in some measure met, such as roads, water-supplies, sewers, schools, fire protection, courts, and police, there will be little or nothing left for the newer departments of expenditure which are so earnestly called for. Good city and town administration is therefore demanded, in order that there may be money to spend on the new social undertakings which the most enlightened and the least enlightened portions of the public alike long for. The great philanthropic movement of society in recent years reinforces civil service reform, calls loudly for the merit system throughout the public service, and demands expert service during good behavior and efficiency in all the public administrative offices of city, state, and nation.

Again, the public is no longer tolerant of the appearance of officeholders in the management of political committees, caucuses, and conventions. The recent Presidential campaign has made this fact very clear. It is no longer an advantage to the party in power to use its patronage officeholders in this way. On the contrary, it is an element of weakness for any candidate that his nomination has been procured through what President Cleveland called the pernicious political activity of patronage officeholders. The Republican party, which had been in power for sixteen years, using to the full its patronage officeholders as political managers, has just been overwhelmingly defeated by two parties which had no such officeholders to use. The people as a whole showed very plainly in this campaign their dislike and distrust of political management by the officeholders, the bosses, and the machines, all of which agencies are supported out of the salaries of patronage officeholders and the assessments levied on persons who have obtained, or hope to obtain, through party agencies, illegitimate favors. Is it not perfectly

clear that the American people through all their party divisions wish to have an end put to the political activity of officeholders? Now the only way to accomplish that end is to do away with the patronage system of appointment throughout the government service. So long as government officials owe their positions to a patron, they will work for that patron. Fill all government offices on the merit system through careful original selections and careful promotion, and no civil servant will have any patron to serve. Require all civil servants to abstain from partisan political activity, and there will be no officeholders' management of either nominations or elections.

For the first time in the history of civil service reform, a President of the United States has recommended that all the national offices be filled on the merit system, except, of course, elective offices, cabinet offices, and the assistantships attached to cabinet offices. To this recommendation of President Taft the present Congress has paid no attention, thus showing either that the Senators and the members of the House of Representatives are not willing to give up the patronage they have improperly acquired and do not understand the great change in public opinion concerning the civil service which has already taken place, or that, understanding that change, they propose to fight for their patronage as necessary to the support of expedient party activities or of their own political fortunes.

The illegitimate practice of distributing among the Senators and Representatives the patronage of the higher civil offices, a practice which has deprived the President of his constitutional power over appointments, now blocks the progress of civil service reform; and it is for public opinion to insist strenuously on the abolition of that practice, and the restoration to the President of his legitimate appointing power. Whatever intrenchments defend that practice should now be stormed by public opinion. Senators and Representatives now select, nominate and appoint, and the President confirms. We should return to the constitutional order, which is the very reverse of present practice.

The Democratic party, soon coming into power, has a precious opportunity to instal itself in the favorable re-

gard of many millions of intelligent and patriotic Americans without distinction of party. It can turn back from the capitol the horde of hungry Democratic office-seekers that will inevitably muster there. It can refuse to turn out competent and faithful officials in the higher civil service, although they were in many cases Republican patronage appointees. It can refuse to disturb consuls selected by the half-way merit system set up by the Executive orders of Presidents Roosevelt and Taft, and replace those orders by a thorough-going statute. It can prevent all office-holders from rendering political party service. It can show by its actions that it does not believe that any party advantage can be gained through the patronage method of appointment to public offices, and that it recognizes the rightful demand of the people for the maintenance and extension of the merit system. This League will watch with vigilance and the keenest interest the action concerning civil service reform about to be taken by the Democratic party under its new leaders, believing that action to be more important to the Democratic party and to the country than the party action on the tariff, banking and currency, the foreign policies, or the treatment of insular possessions, and more likely to determine the destiny of the Democratic party for the next eight years than any other public policy. The reason for this predominance of civil service reform over all other political issues is, that that reform touches intimately every other governmental improvement, and affects profoundly the morality and efficiency of American citizenship.

The League is to be congratulated that convincing demonstrations have been given all over the country by numerous civil service commissions that good candidates can always be selected by the method of examination and inquiry for civil offices of all sorts and all grades, the highest as well as the lowest. For many years after the introduction of the merit system the method of examination was ridiculed by practical politicians and other persons interested in the perpetuation of the spoils system. Civil service reformers were declared to be theorists, visionaries, academic persons without any acquaintance with practical affairs, and the method of examination was de-

clared wholly inapplicable to the selection of government employees, educated or uneducated, skilled or unskilled. Even the bosses and the machines have now given up this line of argument. They have discovered that the civil service reformers have advocated successfully the only perfect means of destroying the patronage method of appointment, and with it the resources of political bosses and machines. They have learned that the merit system is the only practical, business-like method of selecting, developing, and promoting the officials of any government which has modern business to do, national, state, or municipal; and they are beginning to see that the sound business opinion of the country is overwhelmingly on the side of the reform which the politicians used to denounce as visionary and unpractical. The state and city commissions have contributed greatly to the demonstration that the method of examination and inquiry into training and experience is applicable to candidates for the highest civil offices and in the most expert administrative services. The Federal Commission has also contributed to this demonstration, but not so much as the state and city commissions; because the immense majority of offices in the classified service of the United States are subordinate positions. Combining the achievements of the Federal Commission with those of Kansas City, Cook County, Illinois, New York State and city, Buffalo, Philadelphia, Chicago, Los Angeles, and Massachusetts, abundant proof has been given that architects, chemists, engineers of all sorts, road builders, accountants, pathologists, foresters, superintendents of Indian Reservations, statisticians of all kinds, heads of fire departments, and penal and charitable institutions, superintendents of hospitals and asylums, commissioners of public works, health commissioners, police superintendents, fire marshals, and librarians can all be wisely selected by the method of examination and investigation, and that the efficiency of the civil service can be indefinitely increased by following exclusively this method of selection and appointment. In short, the methods of selection and appointment advocated by this League have proved to be completely feasible, and to lead straight to all the anticipated improvements in the civil service of

the country. Whoever now asks that a candidate for office be exempted from examination and inquiry on the competitive merit system is either ignorant of the above facts, or untrustworthy in his support of the merit system.

An intelligent and ambitious young man choosing a career for life wishes not only to obtain a first appointment by giving evidences of merit and capacity, but then to see before him a just method of promotion and a fairly secure tenure of office, if he prove himself competent and faithful. Thorough civil service reform, therefore, includes the provision of a just and careful method of promotion, and of a fair tenure of office for officials of proved capacity. This League, through committees, has already given much attention to the establishment of a sound system of promotion in the national civil service, but sees the necessity of continuing the diligent study of that subject, and of promoting judicious experiments thereon.

A pension system for employees of long service is a desirable and economical part of any large administrative and executive organization; and this League has, through committees, given much attention to the study of an appropriate pension system for employees of the national government. Although several bills on this subject have been brought before Congress, no action has yet been taken; and while this League continues to be interested in the subject, it is not urging any action upon Congress in this matter, although it has expressed a preference for a contributory system of pensions to a system of direct pensions. There are peculiar difficulties in the way of establishing a sound pension system for the civil employees of the national government. For instance, Congress provides for the payment of so many salaries in each of several grades of service in the government bureaus at Washington. If a vacancy occurs in any one of the grades, it must be immediately filled in the same grade, so that the total number of salaries in that grade shall be expended as appropriated. It is not possible to omit filling that particular vacancy, and to get the work of the former incumbent done by an official of a lower grade. Therefore, whatever amount is spent by the United States for pensions will be a clean addition to the amount of salaries provided

for in the appropriation bills. Accordingly, no economic use of pensions for promoting the efficiency of the total system is possible. A university or a railroad can provide a pension for a retiring official, and diminish for a time the total salary-list by the amount of that pension, or by some considerable fraction of that amount; and this is the method which any judicious administration would follow in pensioning employees. For the present, a pension system cannot be economically applied in the civil service of the United States.

An intelligently devised pension system increases the efficiency of the corps or staff, to which it is applied, by removing superannuated persons, and making promotion quicker throughout the corps or staff. The superannuation evil is not, however, serious as yet in the civil service of the United States, because the number of old employees is small, and most of the persons who are approaching what would be the age of retirement in a sound organization are either in low-salaried places, or were spoils appointees. To continue some low salaries beyond the age when they are really earned will not bring a heavy charge upon the government; and as to spoils appointees, the government is, of course, under no obligation whatever to them in regard to a provision for disability or old age. The League, therefore, will bring no pressure to bear upon the government for the immediate adoption of any pension system whatever, and inclines to the belief that legislation on that subject needs further consideration. Whenever the higher offices in the national civil service shall be filled on the merit system, the interest of the League in the pension system will become keen. The indispensable preliminary conditions of a sound pension system are original selection for merit and promise, a reasonable probation, promotion for merit proved, and long service.

The League congratulates itself on the strength throughout the country of the movement in favor of the commission form of government in cities, and of the movement in favor of a short ballot, and welcomes with the utmost cordiality the strong support which both these movements bring to the cause of civil service reform.

Finally, this National League greets and thanks all the

state and municipal societies which are associated with it as supporters and colaborers; and congratulates them on the striking progress of the fundamental reform to which it and they are alike devoted. And we, the living advocates of this great moral reform, cherish in our hearts to-night the names of the pioneers who bore the burden of the earlier conflicts. We think gratefully of Jencks, Pendleton, Eaton, Curtis, Burt, Schurz, and Gilman, and of their noble leadership in times more difficult than ours. We say thankfully of their labors and our own—the end is not yet, but it draws near.



## Address

DR. DUNCAN MCGREGOR

It is a source of keen disappointment to you, I am sure, that on account of a previous and imperative engagement Governor McGovern has been compelled to substitute his regrets for his presence in person here to-night. I am the only one concerned to whom the change from the original plan can bring any pleasure or any recompense. To both the governor and to you the change spells disappointment. You lose much, as you fully realize, through his absence from the state and consequent surrender of his place on to-night's program. On the other hand, fortune has favored me greatly in bringing the two-fold honor,—representing the executive department of the state, to give most hearty and cordial welcome, and further, in sharing in the deliberations of this body, that has earned a nation wide reputation for successful efforts in the upbuilding of good government.

The dominant purpose of civil service reform is to secure greater efficiency in public service, whether national, state or municipal. A Roman proverb says, "The principal part of everything is the beginning." The practical beginning of this effort for greater efficiency was in examination, and that still remains the chief feature. This examination is intended to test the applicant as to his knowledge of the duties of the office to which he aspires, and his intellectual equipment for the discharge of such duties. It is conceded that an examination of this character does not guarantee efficiency in all of its phases, but it does guarantee its most essential elements.

The civil service examiner can and does make a fairly accurate estimate of the preparation of the candidate to meet the demands of the office he seeks. This does not, however, show to what extent he is disposed to use properly the knowledge at his command. This, with

many other elements vital to achievement, defies the arts of the best examiners. It may be safe to say that the best in man, and it may be the worst also, defies the efforts of the most skillful to tabulate or reduce to arithmetical terms.

The examination, however, does vouch for his ability, though not for his fidelity. This limitation is generally recognized, and a partial remedy sought, by securing information relating to the habits and the antecedents of the candidate, and especially data regarding services in any line that he may have previously rendered.

Physical fitness too can be determined with gratifying certainty. The examiner can readily discover in most cases whether the physical condition will permit of energetic and protracted activity in the work in view. Knowledge in kind and degree reveals itself to the skillful questioner, and physical state cannot well escape the observation of the trained and experienced observer.

One of the most hopeful signs of the present demand for greater efficiency, not only in public service, but in life, is the increased emphasis placed on physical vigor, while abating nothing of the demand for intellectual attainment. It is generally recognized that a strong and properly adjusted machine contributes very largely to the quality as well as to the quantity of the output. The human machine is no exception. While efficiency is greatly promoted by the sifting process of the civil service ordeal, there are many other conditions very much improved by the system that you in this body represent. Among these may be mentioned the abolition of the most obnoxious form of bossism, with its closely related evils. We must remember that bossism may assume many forms and, when destroyed in one form, from the ashes springs this same political pest in a different and maybe less evident guise. The civil service system has rendered obsolete that peculiarly offensive form of bossism in which a candidate for office demands the help of others, usually the least worthy, under promise of reward by a comfortable place at the public crib.

Times are changed for the better, and this body may well claim credit for the improvement. The boss no

longer names the beneficiary, but the office goes to him who shows that he has at least some qualifications for the position, aside from the insatiable desire to see his name among the officially elect.

Civil service reform aims to put the best service available at the work to be done. Bossism gives precedence to unscrupulous activity and shameless importunity.

With the boss too you have banished his lieutenants, the ward worker, and the pot-house politician. Why should these men work for a man or for an interest that has no office at disposal? It goes without saying that the job hunter has disappeared with this species of boss. If not entirely extinct, the species has become comparatively rare. The specimens still remaining, thanks to civil service law, are easily managed and disposed of with great promptness.

Even in these days it sometimes happens that an urgent appeal is made for work in the public service without the formality of an examination. Sympathies are invoked on account of the straitened circumstances of the applicant or his family, or we are reminded of valuable services rendered unsparingly and unselfishly to us or to our party, or it is broadly hinted that what influence the candidate has—and we are reminded that he has considerable—will be used in our interest to the full extent of our needs, should we see that this particular name gets a safe place on some pay roll. You naturally infer that so long as the pay is good and sure, the question of fitness does not disturb the applicant. Time was, and not so very long ago, even in Wisconsin, when such appeals were so numerous and so insistent as to be veritable nightmares to the official fortunate, or rather unfortunate enough to have patronage at his disposal. His time and even his strength were given to this annoying work, to the serious detriment of the service for which he was elected or employed.

A perfect, truthful and courteous response can now be made to such pleadings and, being fortified by law, the response is final. In the most polite, businesslike and diplomatic language, the applicant is informed that all such positions as he named are under the merit system,

and that an examination is required by law, and he is referred to the secretary of the civil service commission for information regarding requirements and conditions. What a relief is that to officials compared with conditions only a few years ago. The petty offices that were at the disposal of state officials and legislators were far more burdensome and trying than all the duties properly belonging to the office. The efficiency of the official was seriously impaired by this unnecessary burden and annoyance.

The system that you represent goes far to bring about the ideal condition of the office seeking the man, instead of the man the office. The office seeks the man for his fitness alone. The man too frequently seeks the office for the revenue it yields. The former condition is in the interest of the common good, the latter in the interest of individual gain. One is concerned with the service, the other only with the servant. One fosters dependence and servility, the other independence and freedom.

Civil service law substitutes political decency for wire pulling and nauseating fawning. It makes it possible for an honorable and capable candidate to seek employment without either sacrificing his own manhood or demanding the sacrifice of the manhood of those in power.

Your organization has not only increased the efficiency of public service, but it has also built up higher ideals of official life.

Wisconsin has practically abolished the boss as the personification of the spoils system, and abolished him by depriving him of what sustained him, namely, jobs. When there is no job or reward at the disposal of a political leader, there will be no boss of the type we have considered. Hence, the logical conclusion, let the job be awarded on account of merit alone, and this most offensive type of boss will disappear.

Civil service reform not only selects for public service from merit alone, but it forbids the employee to give his time to political work in the interest of any candidate or cause. Pernicious activity in politics is under ban, and jeopardizes the tenure of office of the offender. It is the aim of civil service requirements not only to procure an

efficient employee, but to place such limits on his activity as will favor the continuance of his efficiency.

The job boss having been deposed, it is no matter of surprise that there came in his place the money boss. The nearest equivalent for a good job with continuous employment is money in hand. So we have seen that even after civil service regulations were quite well in force, there appeared money, used to influence the voter. We do not mean to imply that this evil did not exist before, but of late years it has been reduced to a system, made a sort of a science. The money boss type is limited in membership simply because comparatively few have the money to spare; but there is a compensation for this in the number that may be reached. Distribution of cash is a simpler process than distribution of offices, and probably equally effective. So as a means of heading off the money boss, corrupt practices acts have been passed, stringent in their requirements of publicity and drastic in their punishment for infringement of the law. Such laws are made necessary on account of the change in the leader who rewards his adherents with promises of place to one who draws his check to pay for political services. Which of these two types is the more dangerous to good government is a question on which men may well differ, but both are clearly hostile to efficiency of service, and, therefore, to be mercilessly suppressed. Bosses of other types will no doubt attempt to control our political affairs; but we may rest assured that so soon as they prove hurtful to efficiency, means will be discovered or devised for putting them under control. The combined forces marshaled under the civil service and corrupt practices acts are sufficient, we think, to prevent any serious interference with the efficiency of public service, provided these laws are enforced. In the curbing of bossism and the suppression of its various types, those who profit by its operations, naturally resist a change that threatens their interests or weakens their influence. Hence every effort to curb the evil is by some roundly condemned, and sometimes successfully frustrated, at least for a time. You may find even in Wisconsin men high in authority who deplore the existence on our statute books of civil service laws,

and who argue in favor of the old spoils system, so far as their particular offices are concerned. As to whether they would be ready to grant that same privilege to everyone else is hardly doubtful. These same persons are likely to be among those who plead for no restriction in expenditures of money for political purposes. All reforms, all progressive legislation are attacked in this same way by those who read disaster in every change; but the great body of the people of this country stand for progress in efficiency; they will welcome amendments to laws that will make public office more businesslike, more fruitful of results, but will not tolerate their repeal.

This great movement has come to stay, to be a permanent part of our civic life. Thirty years of trial has fully proved its inestimable value. It may need stimulus and direction to give it strength for greater work. And this convention has for its chief purpose the revival that comes through interchange of thought among men and women engaged in a great common cause.

We confidently bespeak for your meeting results that will be of value to all of our people. The common good is served by such gatherings as this.

We earnestly hope that you may enjoy your stay in our midst; that your deliberations may not only be profitable, as we know they will be, but that they will also be a pleasure to you when here, and a source of pleasure in your remembrance after you return to your homes again.

I take pleasure in extending to you, in behalf of Governor McGovern and the state of Wisconsin, a most cordial welcome to this our badger state.

## Address

GENERAL FREDERICK C. WINKLER

My first advent towards political life, or political action, happened in the great struggle which involved the question of slavery. It was a campaign first of 1856, and chiefly the campaign of 1860. It involved upon the part of the organization which attracted my sympathies, high moral principles. Every argument made, every contention submitted to the people, was based upon these high moral principles. The rights of man, the fundamental rights of manhood were involved, and these constituted the basis of all discussion.

In my youthful enthusiasm, I naturally became filled, as others did, with this conception of public affairs. Our party succeeded. And then came the great upheaval in the South, the danger to the Republic, and with it all there came another spectacle that surprised me and startled me, something that seemed to me utterly inconsistent with the high moral tone of the campaign through which we passed, and that was a tremendous scramble for office. Men whom I had seen work actively and eloquently advocating the rights of freedom, turned their faces to Washington, invaded Washington, looking and seeking for office, and there, of course, the arguments and the contentions used for the purpose of advancing personal interests could not be of the high character that had animated the campaign.

President Lincoln is said to have remarked: "I seem to be a hotel clerk, kept busy day and night, letting rooms in one-half of the house, while the other half is on fire." This fairly characterized the situation.

At every change of political parties this struggle for office seemed to grow in responsibility. After the assassination of President Lincoln, and the accession of President Johnson, when bitter strife developed between the President and Congress, control of office was a great

point made use of in the effort to gain power, and a member of the cabinet, I believe it was, or some assistant in high position, expressed the opinion, in regard to that struggle, that bread and butter would win. Hence comes the famous "Bread and Butter Brigade" in which all newly appointed officials were said to be involved and which was expected to wield and to control the destiny of the nation.

I cannot stop to dwell upon these reminiscences. We are today living in a period of anniversaries. Next July we have the anniversary—the 50th anniversary of the Battle of Gettysburg. Soon to follow comes the hundredth anniversary of the Battle of Lake Erie. And today is an anniversary. It was on the 5th day of December, in 1870, 42 years ago today, that a president of the United States first made an utterance in favor of civil service reform. It was President Grant, who has been said not to have possessed the true spirit of a reformer; yet President Grant was the first man who spoke officially upon that subject in these terms, in his message sent to congress on the 5th of December, 1870:

"Always favoring practical reform, I respectfully call your attention to one abuse of long standing which I would like to see remedied by this congress. It is a reform in the civil service of the country. I would have it govern not the tenure, but the manner of making of appointments. There is no duty which so much embarrasses the executive and heads of departments as that of appointments, nor is there any such arduous and thankless labor for senators and representatives as that of finding places for constituents. The present system does not secure the best men, and often not even fit men for public place. The elevation and purification of the civil service of the government will be hailed with approval by the whole people of the United States."

A measure was passed giving to the president authority to investigate the subject, and to devise and submit a plan of operation. A commission was appointed, and a scheme for civil service examination pretty much as we have today. But there was great opposition. President



Grant's best friends opposed him. His great friend, a man of imperial intellect, Roscoe Conklin, was the leader of the opposition, and Roscoe Conklin was an honest man. And here allow me to interpolate, to state in parenthesis, that in my lengthened years there is not a principle that has impressed me more forcibly than the duty of charity in judging of the motives of political opponents. It is not true that all who do not agree with us are dishonest, that they are moved to their action by sinister motives, and it is not our proper course to take that position.

Civil service reform stands on a broad and sure basis. It stands on the basis of removing the blot in our organization, of using the offices of the country as political rewards, as a means of favoritism; and favoritism has always been an ugly thing in political life.

Civil service reform needs not to resort to heaping opprobrious epithets upon its opponents, or to attack the motives of those who may not agree to all that it proposes. Its strong position is its own intrinsic merits. There are no ways of appointing to the service, and maintain the public service, except these two systems, one that of patronage, and the other that of civil service reform. No method has yet been devised or thought of that can remove the evils of patronage except this system of civil service reform, which by means of competitive examination gives absolute equality to all before the law. All have the same rights. Now who shall be appointed to fill public positions? What more satisfactory, what more clearly is the proper solution than to say that the man who shows the best qualifications shall have the place? And what possible method is there to obtain the decision as to who that man is except that of competitive examination? Yet congress halted, congress halted long; it made little, scrimping, narrow appropriations for a year or two, but finally stopped all appropriations for General Grant's attempt to reform the civil service, and by the end of the year 1874 it had to be abandoned.

Subsequent executives struggled with existing systems the best they could, but it was not until 1883 that a national civil service law was passed. It was not until after this League had been organized and had taken its po-

sition and organized its forces in educational work, and in strenuous advocacy of the reform. Then, in January, 1883, a law was passed which placed the civil service of the country, to the extent that the President should designate under the system of competitive examination. Time progressed, the system advanced; it met with opposition; it met with prejudice; it met with obstacles; it had internal defects. It is not an easy thing; this matter of conducting the proper examinations is not a thing that is learned in a day; it is something that requires tact, intelligence, patience, study of what is required; and it is only slowly that a system can be adapted to a reasonable degree of perfection. But the study was given, the care was bestowed, and little by little certainly the federal civil service examinations have come to be placed upon a very high and satisfactory plane, and have to a very great extent overcome the opposition and the difficulties that were formerly encountered.

I would not for a moment contend that previous to the civil service reform all appointments were made without any regard to merit. It is not true. I know that senators and representatives studied the subject of the appointments that they recommended with care and with conscientious integrity, but their difficulties were great, and were hard to overcome. There was always present the urgency, the persistent importunity of personal claims, the cajolery and the badgering of influence and of pull. You cannot divorce a system from its inevitable consequences. Whether you would have it so or not, there will always be the demoralizing, corroding tendency toward a "Bread and Butter Brigade."

"Now Ladies and Gentlemen, the reform of making impartial selections on the basis of merit is bound to advance; it will advance, in spite of all opposition. It must advance under the great care that is given to the system. The civil service commission must not be taken, is not intended to be a dictator to the appointing power. The appointing power must always exist, the civil service commission is its concomitant and aid; it furnishes the great means of investigation which it is impossible for the appointing power to bestow in person. As such, it

must be welcomed; and the highest aim, the ideal of civil service reform, will only be reached when the civil service commission and the appointing power come to work hand in hand, each acknowledging the proper sphere of the other, and working to a common end. To a great degree, I believe, this has been experienced in the departments of Washington. The civil service commission is no bogey to the Head of a Department, and as the march of progress goes on the affiliation will become closer. A greater difficulty obtains in our local affairs, in our cities. There we have the system of electing, in our cities and counties, for instance, and also in our state government we elect men to office whose only duties are the performance of ministerial functions. They have no policy to represent; they have no political principles to work into action; they simply have the duty of executing business functions. Chief Justice Ryan, whom those of this city at least all remember, and from whose lips in common conversation words of wisdom were so apt to drop, once in conversation with me said: "Where you want administration or skill, appoint; where you want representation, elect." And that, I take it, is the true principle of republican government. The representative, the man who stands in the place of his constituents for the purpose of legislating upon their rights must, of course, be elected; the man who holds an office simply for the purpose of carrying out rules and provisions provided by legislation has no political functions, and he is more safely appointed. Appointed, however, it must be, under a system which absolutely precludes the possibility of running into a field of patronage.

Ladies and Gentlemen, in this onward movement which must take place for the purpose of holding up and extending the purification of our governmental system, this Civil Service League has a duty to perform. And what is its duty? What is the reason for the existence of the League? The reason for its existence, in my judgment, is found in that old watchword which we heard so much of fifty, sixty years ago, "Eternal Vigilance is the Price of Liberty." Eternal vigilance is the price of good government. The ways of inimical encroach-

ment are so insidious that they will creep in in spite of the best intentions of the ruler of the nation. You cannot divide the people of the country into classes, calling one of them good, and the other one bad. I take it that the great mass of the people have in them a very large proportion of good; and most of them also have some little modicum of the devil. The true principle of government rests upon this: so to adjust your affairs, so to construct your governmental machinery that it will call into activity the good in human nature and repress that which has a tendency to evil. This is a direct aim of civil service reform. It puts up bars against self interest. It appeals to patriotic motives. It calls into action the best of human motives and crowds out the selfish interests which tend the other way. To keep this principle moving safely we must ever have a strong watchful, superintending organization, to see that the laws are carried out, to see that there are no inroads upon the essentials of the public service; and there is the function and the high duty of this League, to stand out on the picket line of watchfulness, to guard and to stand as a shield, as it were, over the merit system. When we shall have reached the point where that system is applied in every case where it is reasonably admissible, and the civil service commission be looked upon not as a hostile institution, but as the handmaid and the ready aid of the appointing power, welcomed by that power, then we shall have attained, the aims that we are seeking.

## Address

HON. CHARLES J. BONAPARTE

The antlers which I wear were developed and have been used, I think I ought to say, very largely in the service of civil service reform, in the defense of its principles, and in the attempt to inculcate them to others. They were not then called bull moose antlers, but they are the same thing. You can take that on the assurance of one of those who carries them.

I cordially agree in what General Winkler says as to our duties as citizens, as well as our duty as christians, to deal with all men most charitably. I think, however, that a very charitable way of dealing with them is to give them a good poke with those antlers whenever they get into those lines of conduct which tend in the long run to make them too well acquainted with that eminent public character (even older than the days of civil service reform and bull mooses) to whom he has referred, and whose activity I venture to say is not diminishing at the present time, at all events to my mind it shows no sign of such diminution.

There was one other thing which General Winkler said which impressed me with the enthusiasm of assent. He said that all the appointments made before the days of civil service reform were not made for base and unworthy motives. Certainly they were not, Ladies and Gentlemen, they were made in large part on the principles of civil service reform. There has not been a single president, from the time of Washington down to the time of Taft who has made a good appointment, meaning by that an appointment solely from the desire to comply with his duty as trustee for the public, solely for the desire of putting the right man in the right place, in the public interest, and giving the country a fair return for the sacrifices it made in supporting the office, I say that there has not been one president who has made one ap-

pointment of that character, and from those motives, who has not made that very appointment according to the principles of civil service reform. The principles of civil service reform are not at all that everybody should be chosen as the result of competitive examinations; not at all that everybody should remain in office as long as he can do some kind of work, and receive a retiring pension when he cannot; not at all that everyone shall be entitled to some sort of trial before he is removed for alleged misconduct; not at all that any one of the means or methods shall be adopted by which the ends sought by civil service reformers are usually attempted to be practically attained. The principle of civil service reform is simply that the people's public service shall be used for the people's interest and not in the interest of individuals or parties or cliques; that is the essential principle of civil service reform. It is a principle which unquestionably some members of the community inspired by General Winkler's old friend, perhaps, but at all events very actively asserting their views, do not agree with. There was quite an active politician of my own party, or what was then my party in Maryland, who told me on one occasion that he regarded civil service reform, the application of the merit system, as having utterly demoralized the voters. He said: "It has rendered them venal. Now formerly," continued this gentleman, "we could induce people to do political work by promising them offices, and, as you could promise the same office to from ten to twenty men, a few offices went a long way; nowadays they see they won't get the offices if you promise them, no matter how much you do promise, and the result is they demand the cold cash, and you must give them five dollars now for what you could previously give them five dollars' worth of hope in the future;" and he added that this was rendering them venal, it was destroying their patriotism. He foresaw that it was bringing on the day of that "money boss" to whom our friend Mr. McGregor referred. And let me here express my very humble opinion as to the question of casuistry which was raised in regard to the money boss and his brother, the spoils boss, as to which is the

worst. Why. Ladies and Gentlemen, the money boss is by far the more respectable member of society. If you are going to buy people up, at least you ought to buy them up with what belongs to yourself. You may, perhaps have acquired your money by methods which could not be recited in the confessional without receiving some admonitions from your spiritual advisor, but anyhow, somehow or other, that money belongs to the "money" boss which he uses for the purpose of buying men to do base things; but the spoils boss is using what does not belong to him at all, what is merely entrusted to him by the people as a public trust; he is using that thing which is given to him to advance the public good and promote the ends of government, in order to do the community an injury of the gravest character, and to defeat the ends for which its government was organized. He is committing a double crime, the crime on the one hand of bribery, on the other hand of breach of trust, or virtually, theft. We heard some little time ago, not unfrequently quoted a very edifying sentiment for which there is good and old authority, to the effect that: "Thou shalt not steal." That is precisely what should be quoted to every spoils politician who virtually puts his hand in the people's pocket for the purpose of debauching other public servants or citizens who make up collectively the sovereignty of the country. I have no doubt in my own mind that when the public character to which I have already alluded once or twice will be looking over the members of his—shall I call it boarding-house?—he will assign decidedly the warmer locality to the "spoils boss," and the one where there is less need for fans and summer clothing to the "money boss;" although I do not wish to be understood by any means as intimating that I am a champion or apologist of the last-named class.

And now, Ladies and Gentlemen, there is a very practical matter to be considered at this meeting of the National Civil Service Reform League, and at this time, by all friends of civil service reform.

Mr. Jenkins has referred to the fact that when Pres-

ident Cleveland went out there were very different sentiments on the part of some members of the community with regard to civil service reform from what the same persons entertain at the present day, when President Wilson is about coming in. Every time, Ladies and Gentlemen, that there has been a change of administration from one to the other of our great national parties, since the enactment of the civil service law, there has been a strenuous effort made to return to political barbarism. When President Cleveland came in the first time, in 1884, I remember the energetic defense of the principles of civil service reform that the civil service reformers of that day, among whom Mr. Foulke and myself are some of the very few survivors now, had to make, what hard work we had to do to prevent those principles from being virtually swept away, in the wolfish rush towards the flesh pots that accompanied the incoming of the successful party at that time. That was not at all because that party was made up of Democrats, for four years later when President Harrison took the place of President Cleveland, the same rush came from other wolves marked with a different label, but acting on the same principle. Four years later again, when the process was reversed and President Harrison went out and President Cleveland came in, there was the same peril to be met by the friends of the merit system. And yet again, four years after that, when President McKinley took the place of President Cleveland, we had again to meet, not precisely the same men, but the same sophisms and the same appeals to base passions intended to attain the same base and disastrous ends. That danger is at the present moment hanging over the United States. I believe it will be met in the incoming administration as it was met in all the others. I believe that civil service reform has entrenched itself sufficiently in our politics to be able to withstand the onslaught of all of those who seek to undermine and uproot it, but it will not do that of itself. No fortifications, no entrenchments are of any use if the people who are to fight behind those entrenchments are asleep at their posts, or if they take to their heels when the enemy appears. We must be there, ready



to take our part in defending them, and when we meet those who, inspired by the same prince of darkness who has inspired a great many other things to which we have alluded this evening, when we meet his friends attempting to do away with all the good that has been effected during the lifetime of this League, I trust that we will be supplied with natural weapons such as those ascribed to me, which will enable us to give a good account of them, so that once again civil service reform will show it has come here to stay.

## The Selection and Retention of Experts in Municipal Office

REPORT OF THE JOINT COMMITTEE OF THE NATIONAL  
MUNICIPAL LEAGUE AND THE NATIONAL CIVIL  
SERVICE REFORM LEAGUE

The joint committee of the National Municipal League and the National Civil Service Reform League on the selection and retention of experts in municipal office calls attention to a striking distinction between the administration of cities in enlightened European countries and that of the cities in the United States. Regardless of the differences in the form and organization of municipal government in different countries of Europe, there is always at the head of each of what may be termed the operating services of city government in European cities an expert who has won his position through his expert qualifications and experience and who holds that position during continued efficiency and good conduct. In every case he has the reasonable certainty of an honorable and permanent career in the line of his chosen calling. In the United States this essential feature of successful city government is almost wholly lacking. Corresponding positions at the head of the operating services of city government here are filled by a kaleidoscopic procession of casuals, whose appointment and tenure are usually influenced by considerations of partisan politics and no permanency of tenure or hope of a career is probable, if even possible. The application of the merit system to the operating departments thus far has been, with here and there an exception, confined to subordinate positions only. This has created the anomaly that subordinates have been withdrawn from the field of partisan politics, while their superior and directing officials are still subject to its malign influence. The result upon the efficiency of the operating services of city government has been exactly what might have been

expected. The absolute necessity of placing upon a permanent and independent basis the higher administrative officials who carry out, but do not create the policies of a city government has been repeatedly emphasized by eminent earnest workers for the betterment of city government in the United States. Among them that eminent student of government here and abroad, A. Lawrence Lowell, now president of Harvard University, pointed out the need very clearly in his brief and admirable paper before the National Municipal League at its Pittsburgh meeting in 1908.

Recognition of the evil is becoming more and more general. There is a steadily increasing demand for some practical method of removing it. Your committee submits the following suggestions:

The operating departments of a city government should be manned by a force selected and retained solely because of competence to do the work of their positions. At the head of each such department should be an expert in the work of the department who holds his position without reference to the exigencies of partisan politics.

American political experience has proved that on the whole the most certain way of securing such a force is through what have come to be known as civil service reform methods, namely, through competitive examinations of applicants for appointment or promotion. Since 1883, when the practical application of these methods began, it has been found that such examinations need not and often should not be confined to book knowledge or to written questions and answers, and that, provided the examination be fairly conducted by competent examiners, other forms of examinations have been successful to a marked degree in filling positions requiring not only the highest expert knowledge but the highest expert administrative ability.

How shall the system which produces such examiners and such results from examinations be established and protected? The answer is through a board of commission, whose one duty it is to maintain and perfect such a system and whose members shall hold their positions

independent of arbitrary removal. Whatever the particular form of municipal government may be, the members of its civil service commission should not be subject to arbitrary removal and should not, in fact, ever be removed because of any difference between the partisan political views of the members of such commission and the power that appoints them.

There should be at least three members of such a commission and the terms should be at least three years, one going out of office each year. In Illinois the civil service commissioners are considered as experts and are chosen as such. Such a commission having the authority to prescribe and enforce the conditions of appointment and promotion but with no power itself to appoint or promote will inaugurate and, with experience, will perfect a system that will keep every position from the highest to the lowest in the operating services of a city government free from any partisan political influence.

Since the duties of such a commission are purely administrative and are not in any slightest sense of a partisan political nature and it is important that the standard of administration in each city should be kept at the highest, we favor the administrative supervision of the city commissions, by a central state board. The supervision should be administrative solely and, properly conducted, will tend to keep the level of local administration high. A local commission conscious of constant criticism from a central state board entitled to investigate and report and under proper restrictions to reprimand and to punish will feel a stricter and higher responsibility to the public for the performance of its duties.

In reaching these conclusions, the committee constantly kept in mind that those officials who formulate and establish policies must be in close touch with the people, either by direct election or through appointment and removal without restraint by those who are elected by the people. On the other hand, operating officials carrying out the policies so determined should hold office during continued efficiency and good conduct, and should be experts of education, training, experience and executive ability, and selected and promoted under civil

service rules of a kind to determine these qualifications.

To the objection that an incoming administration should have the power to appoint his own experts in sympathy with its proposed policies, it may be answered that experience both in public and in private work has shown that an executive does not need to change experts in order to initiate new policies. In railroading, for example, a change of administration is followed by few, if any, changes among the civil engineers and superintendents of divisions. When Mr. Harriman took charge of the Union and Southern Pacific railroads, and entirely changed their policies, he kept all the former experts, even the chief legal adviser of the road; and Mr. Hill, in his reorganization of the Northern Pacific and its branches made only one change in its large personnel.

To the argument that experts are likely to become bureaucratic and out of touch with the people, experience has demonstrated that they are very much alive to the needs of the people, are well versed in the latest experience of other municipalities, at home and abroad, and that they often suggest improvements of which the people themselves have not thought, and which have never been made an issue. As a general proposition, neither the people nor the politicians have initiated the modern municipal improvements, but rather the experts, such as physicians, sanitary and civil engineers, architects, landscape architects, bacteriologists, philanthropists, and educators, backed up by civic leagues, boards of trade, and similar public bodies.

It is not claimed that an ordinary academic civil service examination is a suitable method to select experts of mature experience and executive ability. The present methods employed by competent civil service commissions for such positions, however, are not such. There are two general methods employed: one selecting for the lower expert positions through very thorough technical examinations, and then promoting to the chief positions as experience becomes mature and executive ability is exhibited; the other is that of directly filling the higher positions by examinations consisting of systematic and thorough inquiry into the education and training of the

candidates, their achievements, experience, success in handling men, and ability in executing large affairs, and carried on by examiners who themselves are specialists in the subjects under consideration. For example, for selecting an architect, leading architects are the examiners; for engineers, engineers.

High-grade experts of mature experience do not like to exchange steady private employment for municipal services as conducted in the United States today, with short or uncertain terms during which they are subject to dictation from politicians. Where, however, positions are made practically secure, and where successors can only be chosen by a method from which favoritism is eliminated, and sufficient powers are granted them, experts do apply. This is not only true on the continent of Europe, but has proved true in Chicago, where the city engineer, the engineer in charge of bridges, the city auditor, the chief street engineer, the building inspector in chief, and the chief librarian (with salaries from \$3,000 to \$8,000 a year) have been appointed under civil service rules. This system has also been successfully used in the appointment of the state librarian for New York State, assistants to the attorney general, and several other such officials, and, in the federal service, in the appointment of the heads of many bureaus, experts with scientific knowledge and executive ability. R. A. Widdowson, the secretary of the Chicago civil service commission, in a letter dated February 14, 1912, said: "The higher grade examinations in the Chicago civil service, which are usually open to all qualified residents of the United States, attract men of the highest calibre where the salaries are on a commercial basis." The same in substance is reported by the civil service commissions of Kansas City, New York City, New York State, and the United States.

When such a system as herein recommended has been in operation for a number of years there will doubtless grow up in this country, as there has in England and in Europe, a large body of municipal experts in the various branches of municipal activity who begin their careers in cities of moderate size or as assistants in large cities,

and by promotion from one city to another or within the same city reach the highest positions.

In the United States we have as an illustration of expert accomplishment the river and harbor work. The fact that out of the \$627,000,000 actually spent for that work between 1789 and 1911 so little has gone for corrupt purposes is due to the work having been done under the detailed administration of United States army engineers, who secure their positions through strict competition at West Point and who hold their positions for life during good behavior, and who are only under about the same control as is proposed here for municipal experts. These United States army engineers have nothing to do with the initiation of the work (except in the way of advice) or of the appropriation of funds, and all their expenditures are carefully scrutinized by auditors and comptrollers who disallow any item not strictly within the appropriation and law.

If by this system we should in America succeed in taking municipal contracts out of politics and in putting the control of subordinate employees under persons not looking to the next election, we shall accomplish for the welfare, political morality, and reputation of our American cities a lasting good.

CLINTON ROGERS WOODRUFF, *Chairman*,  
ROBERT CATHERWOOD,  
RICHARD HENRY DANA,  
HORACE E. DEMING,  
WILLIAM DUDLEY FOULKE,  
STILES P. JONES.

## Development and Application of Advanced Methods in Civil Service Examinations in Wisconsin

F. E. DOTY, SECRETARY AND CHIEF EXAMINER WISCONSIN  
STATE CIVIL SERVICE COMMISSION

A competitive examination is only a means to an end. It succeeds only in so far as it is suited to the desired end. Artificialities of civil service methods in earlier years were not the product of laws but of their interpretation. We define the term "competitive examination" as used in the civil service law as "any reasonable method of ascertaining relative merit and fitness." By advanced examination methods we mean methods best suited to secure efficient public servants. Examinations must not be artificial. They must be based on sound, underlying, guiding principles. A civil service commission must not be excluded by its own rules or precedents from employing any reasonable methods necessary to secure the desired result.

The advanced methods employed by civil service commissions are not essentially new except as they are a combination of means employed at various times by men in all walks of life. The hurried business man trusts to his intuitions, his knowledge of human nature, his ability to judge men or to the recommendations of friends and associates in business. He sometimes succeeds; he sometimes fails. When he fails he tries again.

The schools and colleges issue certifications or diplomas based upon knowledge of the subject matter outlined in a course of study. The personality, temperament, initiative and moral qualities of a student do not always count. A diploma is not prima facie evidence that its possessor will succeed in life. Business colleges inflict upon the business world graduates doomed to failure from the start. Normal schools grant diplomas to men and women who will never succeed as teachers.



School superintendents issue certificates to teach based upon written examinations. They do not always exclude persons lacking in physical fitness, teaching ability or moral character.

We seek to combine the best methods of the schools and of men of business and by combining these methods to reduce the percentage of error.

#### FUNDAMENTAL PRINCIPLES IN EXAMINATIONS

We have in mind a few guiding principles by which we are enabled to determine in a general way what methods shall be employed in specific instances and how these methods shall be combined. We believe progress cannot be made unless these principles are adhered to.

In the twenty minutes assigned to me on your program I shall briefly set forth and discuss these principles or rules and furnish one notable illustration of their evolution and application.

#### THE WRITTEN EXAMINATION

1. Examine in writing only for such essential elements of knowledge and skill as are directly applicable to the work to be done. Never ask a question in a written examination where there is any doubt as to its value as an element in ascertaining fitness.

2. Give weight to the written examination in proportion to the degree that fitness can be determined thereby.

It is clear that under this rule the written examination for positions as bookkeeper, actuary, stenographer, accountant or statistician should be given much weight. The abilities desired are abilities that must in any event appear upon paper. Prison guards, forest rangers and factory inspectors may not be expected to set forth much of the desired knowledge and ability in writing and the written examination in these cases should be given little weight. In these instances other methods of arriving at merit and fitness should be devised. Adherence to this rule tends to silence criticisms made more frequently in earlier years and still heard, that questions submitted are

irrelevant. Adherence to this rule tends to simplify examination processes.

An early manual of examinations in another state included the following subjects for stenographers: Experience, shorthand, typewriting, letter writing, fundamental operations in arithmetic, tabulating, copy from rough draft, spelling and indexing, eight subjects. The subjects of examination offered today by the Wisconsin commission for this position are experience, shorthand, typewriting, letter writing and spelling. We omit arithmetic, indexing, copying from rough draft and tabulating because we find that these elements are incidental elements occasionally desirable but not fundamental. We find that the best stenographer may be weak in arithmetic and indexing and that one of less than average ability may be strong in these subjects. The inclusion of all possible desirable kinds of knowledge in the examination tends to blur the result. A stenographer who is strong, rapid and accurate in dictation and transcription and who is good in English is likely to possess or is able to acquire the related or allied abilities. We can do our work better and secure a more clean cut result when we adhere to the fundamental guiding principle that no subject or question shall be included in a written examination not directly related to the work to be done.

#### THE ORAL EXAMINATION.

1. An oral examination should be required when the physical senses are to be tested or when skill not ascertainable on paper must be determined.

A game warden must be able to swim, to row a boat, to shoot straight, to identify common varieties of fish and game. A written examination may not discover all of these abilities.

A forest ranger must be familiar with the different varieties of forest trees. He must be able to swing an ax, to use the compass, to estimate the number of feet of lumber in standing timber. Here an oral examination is essential and in view of the fact that a forest ranger cannot be expected to set down much in writing, greater weight must be given to the result obtained in the oral.

The purposes of the oral examination are: First, to detect defects in character, habits and physical condition; second, to verify or correct statements made by the candidate in writing concerning his experience; third, to discover temperament and personal suitability; fourth, to reinforce the written examination touching the knowledge, skill and judgment of the applicant.

#### THE ORAL INTERVIEW

An oral interview may properly be required in all examinations.

It does not rise to the dignity of an oral examination. Its purpose is to reinforce and make clear statements made by the candidate in his application or experience paper concerning his previous education and experience. The experience paper is often misleading. The statement made by an applicant concerning himself may not be untrue and yet may not set forth all of the facts concerning his previous conduct and service in a true light. An oral interview enables the examiner to give the previous conduct, service and training of the candidate its true value or it enables him to conduct a more intelligent *inquiry* concerning the candidate.

When the conclusions reached by an examiner in an oral interview are reinforced and modified by reports from former employers or associates of the applicant, a dependable rating for experience can be given.

The oral interview discovers physical defects or evidences of bad habits such as excessive use of intoxicating liquors that might not be revealed in other ways. If doubt is raised as to the moral character of the applicant, greater care will be taken to ascertain his true record from persons with whom he has previously served.

#### MARKING AND RATING CANDIDATES.

In marking and rating candidates we lay down the following fundamental principles or rules.

1. The identity of the candidate must be concealed from the one who marks his written papers.
2. Papers should if possible be marked independently by more than one examiner.

3. In marking for experience give each candidate what he is worth on his own showing. Do not raise the mark thus given because of flattering recommendations, but lower the mark or reject the applicant if verified adverse reports concerning his previous conduct and service justify doing so.

#### ELEMENTS PREREQUISITE TO SUCCESS IN PREPARING EXAMINATIONS

There cannot be an effective application of these principles unless examiners have a crystal-clear conception of the service to be rendered in a specific case. Examiners must depend in varying degrees upon appointing officers and employees having supervisory authority to set forth the needs of the service. But men in authority do not always possess in equal degree the ability or the inclination to set forth the needs of the service lucidly. An examiner cannot succeed who does not keep in touch with the service. He must know it intimately; he must allow it to react upon him in order that he may react upon it.

#### THE PROBLEM OF FINDING DESIRABLE CANDIDATES.

The best examinations will fail in the absence of desirable candidates. We have, therefore, given much thought to the matter of advertising the various examinations offered. We keep addressograph mailing lists ready for instant use, of postoffices, local examiners, city libraries, county officers, schools and colleges. We advertise in large daily newspapers. We send posters into all of the counties of the state. For exceptional cases we prepare special advertising lists. If we look for a laundry man we communicate with the laundries. If we seek employees likely to be found in rural districts, we send notices to creameries, cheese factories, district school officers or town clerks. If attorneys are desired we advertise through the courts or send direct to reputable law firms throughout the country. For trained nurses we write to city hospitals. In other words, we seek to make our advertising fit the specific case. For engineering positions we insert notices in engineering

journals. If physicians are wanted we communicate with medical schools and advertise in medical journals.

#### MAILING LISTS

We keep mailing lists of all persons who have expressed the desire to be examined for a specific service and encourage citizens to make their wishes known in this way so that they may receive notification by letter direct when examinations are announced. But at the best we do not get the needs of the state brought to the attention of all desirable candidates. The whole story of the administration of a civil service law is a story of progress and evolution out of chaos into something approximating system and order and fair play.

#### ILLUSTRATION OF THE APPLICATION OF THE ABOVE FUNDAMENTALS TO A SPECIFIC CASE

To show how examination methods have evolved and how the above examination principles have been applied, I shall now give an account of the evolution of an examination system for positions as deputy game warden concluding with some statistics showing the benefits which have accrued.

Wisconsin has been and still is the sportsman's paradise. Its wide expanse of forest lands in the north; its numerous lakes and streams; its outlying waters attract the sportsmen of adjacent states and furnish a livelihood to thousands of commercial trappers, hunters and fishermen.

Not until 1897 did the people of the state seem to fully realize the value of this heritage of natural wealth. Prior to that time the enforcement of laws to conserve wild life was in the hands of three or four men to police the entire state. In 1897 a hunting license law was passed and the resources of the game department were increased sufficiently to place the work of the department on a self-sustaining basis. The ease with which the money was collected and the opportunity which this rapidly increased income provided to place a large number of men in the field demoralized the service. Abuses crept in. Deputies found their retention in office depen-

dent upon the tenure of the head game warden and that their salvation evidently lay in securing his retention in office through political influence. They were thus inevitably drawn into the field of political activity.

When the civil service law went into effect in 1905 the commission found it difficult to cope with the problems peculiar to the game warden's department and next to impossible to correct abuses that had grown up there.

A legislative investigation in 1909 led to a reorganization of the game warden's department and the amended law provided that "each warden shall be selected from a list of eligibles furnished by the state civil service commission and to that end a separate list of eligibles shall be prepared for each senatorial district. Deputies when appointed shall hold office during good behavior and shall in all respects be subject to the provisions of the civil service law."

In the ensuing reorganization some deputies who had assisted in levying political assessments were displaced. The reorganization necessitated a state wide competitive examination. The usual formal application was required. A written examination intended to test the applicants' knowledge of fish and game and their familiarity with the essential requirements of the game laws was held at each county seat on a specified date. Each candidate was notified to appear at a later date at a designated central point to meet examiners for an oral examination. Ten different points in the state were named.

Dr. T. S. Palmer, in charge of federal game propagation at Washington, D. C., assisted in the work. The oral examination was intended to supplement information given in writing. It brought out with more certainty the experience of candidates and their fitness for the peculiar needs of the service. Candidates were required to identify specimens of fish and game common to Wisconsin. Questions were submitted relating to the duties of the position. Hypothetical questions relating to law enforcement were asked. The oral examination of each candidate lasted from five to twenty minutes. The routine was varied at different points. When it was possible to get access to a taxidermist's shop or museum

candidates were taken there for further questioning. In the afternoon we went into the fields and required the men to identify birds, trees, shrubs; to run, to shoot at a mark, to estimate distances. Each man was questioned in his particular line. A trapper was given an opportunity to show how traps were made, to identify tracks of animals; to discuss the commercial value of skins of wild animals; the ways and habits of fur bearing animals, etc.

One hundred and sixty-eight applicants appeared. Many were intelligent and admirably suited for the work. Others were lacking in one way or another. Some were physically deficient, many morally, others mentally. One man was blind, another deaf, one was lame and another had lost his left hand. The morally deficient included men who had violated the game laws knowingly. Others had been convicted of misdemeanors or crimes. Some ex-game wardens were known to have padded their accounts, to have sold confiscated fish and game and withheld the profits. The oral examination did not discover all of these facts, but it pointed the way to their discovery later.

In the fall of 1910 another state wide competitive examination was offered. We found that the careful sifting which had been done in 1909 tended to discourage the physically and morally defective from competition. The qualifications of candidates who appeared were considerably higher. The methods we had previously employed had attracted attention, had aroused interest and inspired confidence.

There was a falling off in the number of applicants, however. In 1910 131 persons took the examination as against 168 for the previous year. Examination methods were becoming standardized. The examination was a combination of written, oral and physical tests all conducted on the same day. We were beginning to settle down to an established, dependable routine. The written examination was briefer. It called for ability to find the law relating to a given case in the manual and to show how to apply simple provisions of the law to specific cases.

While the written examination was in progress can-

didates were called separately before examiners to identify common varieties of fish and game, to discuss hypothetical cases relative to law violations, etc. In the afternoon candidates were taken out of doors to some convenient spot adjacent to a lake or stream. They were called upon to row, to scull a boat, to shoot at a mark, to run and to jump. Their sight and hearing were tested; they were required to estimate distances; were given an opportunity to show their familiarity with the ways of wild life, the practices of the trapper and the hunter. And during all this time the examiners were getting more and more information concerning the personal characteristics of the men. The examination was begun at Milwaukee on October 8th and concluded at Madison on October 15th.

An analysis of the results showed that there was yet much to be done to make the work of the office of deputy game warden more attractive in order that a better and larger class of applicants might be drawn into consideration.

The state game warden has sole power to fix salaries and to assign the work of the 65 deputies on his staff. It was, therefore, essential to secure his co-operation in reorganizing and reclassifying the service and promulgating promotion rules. This was not an easy thing to accomplish. Changes in the office of the state game warden have been so frequent that up to 1911 no state warden had succeeded in establishing a constructive policy for the administration of his department.

In 1911 the newly appointed state game warden, Hon. John Sholts, after frequent conferences, made public in his annual report a plan, which had received the scrutiny and approval of the civil service commission, classifying the force, fixing salary grades and laying down promotion rules.

The force of deputies is divided into three groups. One is assigned to inland service, a smaller group to transportation service and a third is given supervision of commercial fishing on outlying waters, the Great Lakes and the Mississippi river.

Three salary grades are fixed for each group. Begin-



ners receive a salary of from \$2.50 to \$3.00 per day according to the kind of service for which they are selected and after six months may be advanced to grade B, receiving an increase of 50 cents per day subject to promotional examination and satisfactory service record. After specified tenure and satisfactory service and examination, a deputy may again be advanced to grade A, to receive from \$3.50 to \$4.00 per day according to the group to which he has been assigned. The order provides for an annual competitive promotional examination to be held in July of each year to fill vacancies in the higher grades. It insures the keeping of efficiency records by the state warden based upon faithful service, prompt and satisfactory reports, compliance with orders, creation of right public sentiment in favor of game protection, and impartial enforcement of the law.

The entire staff of the game warden's department was ordered to appear at Madison on July 8th, 1912, for instruction and examination. The program consisting of addresses by Prof. Geo. Wagner of the university and Dr. T. S. Palmer of Washington, the state game warden, a representative of the civil service commission and by members of the warden's staff on topics of interest to wardens, was prepared jointly by the state game warden and the civil service commission.

Professor Wagner, who had previously assisted in conducting oral examinations and who had from time to time supplied specimens to be used in this work, gave an instructive lecture on the economic value of birds. Dr. Palmer discussed the importance of protecting non-game birds. One of the younger deputies who is doing a very important educational work for the department in lecturing at farmers' institutes and teachers' meetings on the importance of conserving fish and game, spoke of the importance of insectivorous birds. The state warden talked to the men on the duties of the deputies. There was a question box. Opportunity at the proper time was offered deputies to take part in discussions. An evening was set aside for round table talks on proposed amendments to the game laws. The governor came before the men and gave them an inspiring address. Fresh speci-

mens of unusual varieties or types of fish were brought by deputies for identification and classification under the law. The state warden discussed difficult illustrative cases of law enforcement that had arisen during the year.

The men were keenly interested and returned to their work inspired to study and to improve and to co-operate more closely with the department and with each other. During the three days' session all of the men were examined. The written examination consisted of ten questions and lasted two hours. To conform to the new classification, men were given an opportunity to specialize on inland work, transportation or outlying fishing. The questions were designed to test familiarity with fish and game laws and with the duties of a warden, and were more difficult than those previously given in entrance examinations. The examination for the highest grade of service, that of supervising warden, was most difficult of all and included questions on administrative policy and general methods affecting the protection of fish and game.

Each man was given an oral interview where he was questioned concerning his previous service as deputy and was called upon to discuss actual cases of law enforcement with which he had been connected and to give account of the most important work he had done. The stenographic transcript of these interviews is interesting reading and throws light upon the actual problems which deputies have to meet. The men were called upon to show in what way they had secured a better sentiment in favor of game protection and to suggest ways and means to further improve conditions in their districts.

A medical examination was conducted by two physicians. It was announced that no man would be rejected or dismissed because of his failure to pass this test. It was required primarily for the purpose of finding out whether or not the men had been active and had kept themselves in as good physical condition as might reasonably be expected of them. We wanted to know whether they were physically fit or whether they had permitted themselves to become flabby, and we wanted *them to know that we shall expect them to keep in as good physical condition as possible at all times.*

When the session closed we went over the office records of candidates with the state game warden. We found that he had kept a faithful record of each man's work and that entries had been made under five separate headings.

- a. Faithful and continuous service
- b. Careful and reliable reports
- c. Compliance with orders
- d. Creation of public sentiment in favor of game protection
- e. Faithful and impartial enforcement of the law.

Each man's record was marked by the state warden, and reasons were assigned by him for any low marks given in individual cases. Each man's actual record for the year, verified by the commission, counted one-half in the entire examination. His mark in the medical examination was given a weight of one *for purposes of promotion only*. The oral and written examinations each received a weight of two.

A man who had served six months or more and whose final standing was 90 per cent. or better became eligible for service in grade A. Men receiving a standing of less than 90 per cent. and more than 75 per cent. were classed in grade B and entitled to the salary fixed for that grade. Persons falling below 75 per cent. were to remain at the beginning salary for the ensuing year.

We tried to encourage all of the men upon going back to their homes to seek in every possible way to make a good record, and ways and means were suggested to enable them to become more efficient.

Dr. Palmer summarized the results accomplished by the conference as follows. He said:

"1. The entire force of deputies was assembled at Madison and returned to their districts so quietly and expeditiously that it was hardly known outside the department that they had been withdrawn from their stations for three days.

"2. The state warden thus had an opportunity of meeting his entire force and giving personal instructions regarding certain features of their work.

"3. The entire force was subjected to a uniform

physical and mental test and its present status recorded in a way never before attempted.

"4. The men had an opportunity to confer with the head of the department, to become acquainted with each other, to acquire useful information from deputies assigned to similar duties in different parts of the state, and thus received a new stimulus for their work.

"5. The importance of the practical outdoor tests given by the civil service commission was fully demonstrated by the medical examination. The desirability of including simple tests for hearing and eyesight in future entrance examinations was also brought out.

"6. The civil service commission succeeded in working out a definite plan for promotional examinations, a scale for rating the papers, and tests for candidates for supervisory positions, which were eminently fair to the men and satisfactory to the game warden department. This examination proved to be a stimulus to the deputies in preparing for it, a stimulus for future work, and was not discouraging in any way to the rank and file.

"7. Not the least important result was the association of three departments of the state—the office of the state warden, the civil service commission and the state university—in a united effort to make the conference a success, and realization that through such cordial cooperation far-reaching results might be attained which would redound to the benefit of each department."

When we began the campaign for improved conditions in 1909, Wisconsin was the only state in the Union in which the game warden service was under the merit system. During that year game protectors in New York were brought within the competitive class by statute and provision was made for salary grades and promotional examination. In 1911 New Jersey fell into line and wardens were selected by competitive methods then for the first time. In 1911 Illinois by general enactment brought game wardens within the jurisdiction of the state commission and steps have been taken there this year to employ methods of selection similar to those employed here.

## HAVE THESE METHODS SECURED GREATER EFFICIENCY?

Our state game warden reports that game is more plentiful now than it has been for many years. He says the number of deer in Wisconsin is increasing. The value of fur, fish and game animals taken annually amounts to nearly two million dollars. Over 800 non-residents come to this state and take licenses to hunt small game and deer.

In 1905 the department was hardly self-supporting. During that year the department collected \$87,000 from licenses and paid out in salaries and expenses \$95,000. The following year the fund was exhausted and only a small part of the force was retained. The receipts in 1906 were \$88,000, the expenditures for salaries and expenses \$70,000. In 1910 the collections jumped to \$123,000, in 1911 to \$150,000. The unused portion of the income from licenses amounted to \$125,000 and that sum of money was then turned over into the general fund.

The department is now well out of the mire of politics and is steadily gaining the confidence and respect of the better class of citizens in the state. These beneficial results could not have been secured without the co-operation of the state game warden with the civil service commission in putting into effect an enlightened, progressive, consistent administrative policy.

## The Application of the Merit System to Higher State Officers

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In entering upon a discussion of this subject, it first seems necessary to define what is meant by "higher state officers." The New York state civil service law includes the following provision: "The civil service of the state and of each of its civil divisions and cities shall be divided into the unclassified service and the classified service. The unclassified service shall comprise all elective offices, all offices filled by election or appointment by the legislature on joint ballot; all persons appointed by name in any statute; all legislative officers and employees, all offices filled by appointment by the governor, either upon or without confirmation by the senate, except officers and employees in the executive offices; all election officers, the head or heads of any department of the government, and persons employed in or who seek to enter the public service as superintendents, principals or teachers in a public school or academy or in a state normal school or college."

It will thus be seen that the New York state civil service commission cannot apply the competitive system to the employees of the legislature, to the principal appointees of the governor, or the head of any department. Without an amendment of the present law, it would be impossible to classify as competitive the officers mentioned above, which comprise many positions included in the term "higher state officers."

Turning to the classified service, we find the following mandatory provision regarding exemptions: "The following positions shall be included in the exempt class:

1. The deputies of principal executive officers

authorized by law to act generally for and in place of their principals;

2. One secretary of each officer, board and commission, except civil service commissions, authorized by law to appoint a secretary;

3. One clerk, and one deputy clerk if authorized by law, of each court, and one clerk of each elective judicial officer."

It will be seen, therefore, that the state civil service commission has no discretion as to the exemption of the above classes of positions; but there also follows, in this section, the provision that there shall also be included in the exempt class "all other subordinate offices for the filling of which competitive or non-competitive examination may be found to be not practicable." It is this latter class of positions concerning the exemption of which controversy has arisen in the past.

Aside from the exempt and unclassified positions referred to above, many higher state positions are now in the competitive class, and many of the positions now classified as exempt do not fall in the class of higher state officers as, in addition to principal deputies, in the exempt class, this class also includes cashiers and financial clerks and a large number of positions described as confidential—confidential clerks, confidential stenographers, etc.—with salaries ranging generally from \$900 to \$3,000 per annum. Among the higher state positions which have already been included in the competitive class may be mentioned a large number of positions in various departments, such as deputies, chiefs of bureau, high grade engineers, examiners and inspectors, superintendents of branch offices, officials in charge of special work in various departments, etc. In addition to these positions there should be mentioned the position of superintendent in each state hospital for the insane and, with few exceptions, the superintendents of all other state charitable and reformatory institutions.

Many of the higher positions in the state service have been placed in the exempt class on the ground of the impracticability of competition, or, rather, it should be said that this action has been taken in the past in many

cases because appointing officers have felt that competition, in the old style, blind form of a written examination, would not bring satisfactory results, and it is true that, in many important positions, the element of personality, experience and record of personal achievement, as giving promise of future efficiency, are of very great importance, and appointing officers have taken the ground that they were better able to select employees with these qualifications than the civil service commission. But with the introduction of more rational and business like methods of examination, it has been found possible to fill satisfactorily higher state positions which it was formerly taken for granted should be in the exempt class, and there is no doubt that the improvement in methods of examination has been, to some extent, a factor in keeping down the number of exemptions.

With regard to the classification of heads of departments, there is probably no division of opinion. They should, under our present form of state government, undoubtedly be, as they are, in the unclassified service, and the only method by which these positions could be included in the competitive class would be by a radical change in governmental policy.

Former Governor Charles E. Hughes advocated a reduction in the number of elective state officers and that the governor and lieutenant governor only should be elected at the general election, by the people of the state, and that the state officers now elective, five in number: comptroller, attorney general, state engineer, state treasurer, and secretary of state, should be appointed by the governor, such appointive officers to constitute a cabinet, in the manner now obtaining under the federal government. If this should be done, many independent departments, boards and commissions, which now number more than thirty-five important establishments, besides others of lesser importance, could be subordinated to an appropriate cabinet officer, with the prospect of increasing somewhat the number of higher positions in the competitive class, but under our present system of state government, it would appear to be idle



to discuss the extension of the competitive system to heads of departments and principal deputies.

The state hospital system was above referred to, and it may be of interest to give an outline of the system of appointment and promotion, as applied to this service. The lowest medical position, that of medical interne, is in the non-competitive class, state hospital superintendents being allowed to appoint directly to this position at \$1,000 per annum, and candidates who are licensed physicians of the state of New York are not required to take an examination. The next higher position, that of assistant physician, is filled by open competitive examination, in which the internes as well as outsiders compete, from which position promotion is made, upon non-competitive examination, to that of senior assistant physician. From this position promotion to the position of first assistant physician is made upon competitive promotion examination, and in a similar manner, hospital superintendents are appointed after competitive promotion examination, open to first assistant physicians in all of the hospitals. The position of hospital superintendent, with a maximum salary of \$6,000 in addition to complete maintenance for the superintendent and his family, is one of much importance, as some of our state hospitals, of which there are sixteen, contain as many as four thousand or more patients, with several hundred employees, and the successful application of the merit system to these institutions is a striking instance of the success of the application of the competitive system to higher state officers, for surely the head of such an institution can be considered in that class.

There are at present in the state of New York eighteen state charitable and reformatory institutions, the superintendents of which are, with one or two exceptions, in the competitive class, and the great majority of them have been selected by open competitive examination, or by promotion from other positions in the same or similar institutions.

In this connection attention should be called to frequent instances in which higher state positions have been filled by the promotion of persons already in the service

whose experience has made them invaluable to their departments. There have occurred to my mind a large number of cases in which competitive employees have been gradually advanced to higher state positions. Among them I desire to mention the following:

In the state department of agriculture, the exempt position of principal deputy at \$4,000 was recently filled by the promotion of the inspector of state farms, who is an experienced and well known farmer, stock raiser and dairy man, who was originally appointed to the position of inspector at \$3,000 from an open competitive examination.

In the comptroller's office the position of deputy and warrant clerk at \$5,000 was filled, soon after the incoming of the present administration, by the promotion of the assistant, who entered the service in 1894 as entry clerk at \$1,800. This promotion was made to fill a vacancy caused by the death of Mr. Willis E. Merriman who had served in the comptroller's office continuously since 1866.

In the office of the state engineer and surveyor the exempt position of deputy at \$5,000 was recently filled by the promotion of the chief clerk, who was receiving \$3,600 and who has served in the department continuously since 1903, advancing through various grades.

In the insurance department the position of first a lower position in the department in 1883.

Mr. Charles S. Fowler, former chief examiner of the New York state civil service commission, was appointed to that position on January 1, 1896, as the result of an open competitive examination; after serving in that capacity for more than thirteen years he was, during the administration of Governor Hughes, appointed second deputy superintendent of insurance, and placed in charge of the New York office of the department at a salary of \$4,500.

The secretary of the New York state civil service commission, Mr. John C. Birdseye, has served in the office continuously since 1884, when he entered in a minor capacity.

Examples of this kind might be multiplied, but I

have given enough of them to show that faithful service and efficiency are not infrequently recognized by deserved promotion to higher state positions.

Many important positions have been filled through open competitive examinations during the last three and one-half years, among which might be mentioned: superintendent of the Syracuse Institution for Feeble Minded Children, \$4,000; director of laboratories, health department, \$3,000; medical superintendent, Letchworth Village, \$4,500; chief of examinations division, education department, \$4,000; chief veterinarian, department of agriculture, \$3,000; examiner, board of alienists, state hospital commission, \$5,000; director of psychiatric institute, under state hospital commission, \$6,500.

The above examinations have been composed of a written test on subjects appropriate to the position, combined with a rating for education and experience. We have also held examinations in which a rating was made on experience and personality, together with a written examination, the rating on personality and experience being made upon a careful inquiry into the candidates' past record, supplemented by a personal interview and oral examination. These include: court and trust fund examiners, under the state comptroller, salary at entrance \$5.00 to \$8.00 per day; examiners of municipal accounts, under the state comptroller, salary at entrance \$5.00 to \$8.00 per day; principal keeper, state prisons, \$2,000; assistant attorney general, \$3,000; assistant actuary, state insurance department, \$3,000; supervisor of agricultural education, education department, \$2,500; inspector of hulls, department of public works, \$3,000; bank examiners, state banking department.

This form of examination, which includes a rating on experience, education and personality, has met with the uniform approval of appointing officers, and a former superintendent of the New York state banking department said, in an address before the State Bankers' Association in 1910, speaking of the bank examiners appointed from competitive examinations: "In my opinion, they are energetic, enthusiastic and efficient. Thanks to the Civil Service Commission, we are

now adding to the service men rated upon their experience, education and personality, rather than upon mere ability to answer written questions. We are obtaining experienced bank men of dignity and judgment as the material from which capable examiners will be developed."

In 1911, an open competitive examination was held for the position of resident engineer, under the state engineer and surveyor, at \$2,400 to \$3,000 per annum. This position had formerly been filled as a result of a promotion examination restricted to persons already serving in the department. At the special request of the state engineer, however, this examination was thrown open to general competition, and a rating, based upon theses and engineering experience, was made by Hon. John Bogart and Prof. H. de B. Parsons of New York City. One hundred twenty-six candidates competed in this examination, and the names of one hundred eleven were placed on the eligible list. Referring to this examination, the state engineer addressed a letter to the civil service commission, as follows:

"I beg to congratulate you on the result as shown by the list of those eligible for appointment to the position of resident engineer from your examination of the applicants to this position. I can conceive of no method which would insure the state obtaining men better qualified for this position than that which your commission pursued in obtaining the list which you have submitted, and while I know that a number of protests have been filed with you in regard to this examination it seems doubtful whether the people protesting could have been satisfied by any method unless they were allowed to rate their own papers. From the method pursued in the examination I feel certain that in making appointments from the list that the state will be able to secure the services of those who are well qualified to act in the important position of resident engineer."

Other examinations have been held for high grade positions in which a rating has been made on the experience and attainments of candidates as indicated by sworn statements in their applications, supplemented by inquir-

ies which the commission has made of persons acquainted with the candidates' character and ability, without the oral examination. Examinations of this kind have been held for inspector of vocational schools, education department; medical librarian, state library; examiner, state civil service commission; and many other positions.

In this connection it seems to me that when a higher state position becomes vacant it should be filled, if practicable, by promotion; if there is some one in the same department or institution who is qualified for the higher position he should, under rules and regulations prescribed by the state civil service commission, be promoted to the higher position, but the lines of promotion in a department or institution should not be absolute; if men better qualified are to be found in other departments or institutions, then the civil service rules should provide for a competitive promotion examination or some other method for obtaining the best qualified man for the place. Executives are born, not made, and the line of promotion should not be iron clad; appointing officers should not be absolutely limited in the selection of men to fill important positions, yet I believe that competent men in the service should be afforded an opportunity to rise not only in their own departments, which often present a very restricted field, but by being allowed to compete for promotion to higher positions in other departments. An appointing officer, the head of a department, should have in mind the good of the service; no considerations of a personal nature should influence him in the selection of subordinates, yet he has but a limited view of the field of departmental employment. The state civil service commission should be a clearing house of information regarding the personnel of the service in all departments, and with this knowledge it should be the province of that commission to decide the method of filling a particular vacancy.

There are also cases in which it seems advisable to bring in new material from outside the service to fill important positions; an infusion of new blood sometimes stimulates the entire system. Where such a situation arises it should be promptly met by the civil

service commission, using its wise discretion as to the adoption of this or that method. Certainly it is inadvisable to invariably fill positions by promotion; for instance, the standard of a service would inevitably be lowered by filling every clerical position by the promotion of messengers.

These questions require very careful study by broad minded men with an intimate knowledge of departmental requirements and an equally intimate knowledge of the personnel of the service. As suggested above, the state civil service commission should be a clearing house of information regarding these subjects and I am sure the time will come when departmental heads will be anxious to avail themselves of the disinterested advice of the state civil service commission, not only as to the best method of filling a particular vacancy, but as to any way of improving the service in their departments.

Other questions crowd into this field of activities. The adoption of some retirement scheme is sure to come in the near future, both in state and nation; this will present many important questions for civil service commissions to handle; the number of applicants for examination will probably largely increase; the matter of physical qualifications of candidates will become of prime importance and will require strict inquiry. The questions of removal from the service, reduction and promotion must be subject to very close supervision and the employee's rights most carefully guarded.

Then it has also occurred to me that the relation of public education to the civil service system should be most carefully studied: can there not be a systematic co-ordination of our school system and the civil service system? It has been said that the state of New York examines men "to death." Through a system of examinations pupils are graduated from the grammar schools and admitted to the high schools; upon passing successfully the required examinations they graduate from the high school. This academic diploma is required for admission to the study of medicine; at the end of his course he is examined for graduation and then, if he desires to practice medicine in this state, he must take

an examination for license, and on top of all this, if he desires to serve the state in the capacity of physician he is usually required to compete in another examination for the appointment to which he aspires. I have no suggestion to make in this connection. I leave it for those more competent and with more time at their command to study out a plan for the inter-relation of public education and public employment.

But to return; it has been shown that many higher state positions have been filled either by promotion or as a result of open competitive examinations. A review of these examinations and their results seems to support the claim made by friends of the merit system, that an examination can be held for practically any position, with full assurance that a satisfactory appointment will be made from the resulting eligible list. This would not be possible under the old fashioned system of written answers to set questions. The ability to answer questions on paper is one thing; the ability to satisfactorily fill an important position is quite another thing. Something else is demanded besides knowledge of the subject matter in hand, and that is the ability to apply knowledge to conditions in such a way as to produce results; but with a rational and business like inquiry into all phases of a candidate's qualifications, there is no reason why a civil service examination should not bring to the top of the list the best qualified man.

So, to my mind, the question is not whether a suitable civil service examination *can* be held for a certain position. Any position can be thus filled. The question is whether an examination *should* be held. It is not a question of feasibility but a question of advisability. And this brings us again to a consideration of exemptions. Under our present governmental policy in the state of New York, the most important state positions are placed in the unclassified service, by mandate of law; the civil service commission is also obliged to include in the exempt class the principal deputies of executive officers. Then there is a considerable number of fiduciary and confidential positions which have been put in the exempt class on the theory that an executive officer

should have an opportunity to surround himself, to a limited extent at least, with an entourage whom he knows he can trust and also to his personal liking—to him personally agreeable and in whom he may repose a confidence not easily bestowed upon strangers, but it seems to me that the civil service law might well be amended so as to narrow the present provision regarding the exempt class by requiring an actual trial of competition before permitting an exempt classification in case of positions which are now so classified in the discretion of the commission.

Beyond this field of unclassified and exempt positions and yet on the hither side of the competitive class is a sort of borderland—a Cherokee Strip—including a number of positions which one side maintains should clearly be in the competitive class and which the other side contends should be in the exempt class. This Cherokee Strip has been more than once opened to settlement, so to speak, and there has occurred a clash of opposing forces; there has been a "run" in which many have participated, and in the mind of the average American citizen our government by parties means to some degree the participation in the spoils of victory by those patriots who have devoted energy to the success of their cause. Yet there is no doubt that the so-called spoils system is losing ground; that the merit system of appointment and promotion in the civil service of the state and nation is growing in favor and gaining adherents year by year. What other interpretation can be placed on the favorable attitude of the great political parties?

However party platforms differ on the tariff, the Philippines, trusts, the currency and other matters, it appears a very significant fact that they are practically unanimous in declaring in favor of strengthening the merit system. What does this mean? What can this mean, other than that the great majority of the people of the United States believe in the merit system and that they demand its extension and enforcement? The attitude of the three leading presidential candidates, as well as that of the three leading candidates for governor in the state



of New York, surely reflects the temper of the people.

It has been well said that the school house does not make the school and that the meeting house does not make the church. The soul of an institution lies in the character and attainments of the men who control it. So, while the efficiency of a state government is, to a degree, symbolized in the architecture of its buildings, yet it is the ability of its officers and employees, and that alone, which gives guaranty of efficient service; granted this, the all important question is how to secure employees of ability, and we reply, "By open competition, to the end that the best shall serve the state." Having secured appointees who give promise of efficient service, how shall we make certain of retaining their services? We reply, "By paying adequate salaries and by offering prospect of promotion in pay and responsibility commensurate with their services." How can such problems be best studied and solved? Right here I am aware that there will be a difference of opinion, but I think they can be best studied and solved by a civil service commission of three members appointed for definite terms and who are paid adequate salaries. Men of experience in public affairs and in business should be selected for membership on civil service commissions, and they should be paid salaries large enough to justify the devotion to the work of sufficient time and energy to acquire a thorough understanding of the many difficult problems which arise. I am aware that many advocate the appointment of men to do work of this character without salary, believing that, by attaching a salary to the position of civil service commissioner, it is thereby made a "job," and that it then becomes attractive to the mere place hunter. I grant that there is room for a legitimate difference of opinion on this point, but, after careful consideration and after having been in touch for some years with national, state and municipal civil service commissions, I am of the opinion that, in this case as in all others, the laborer is worthy of his hire, and that nowadays men cannot be expected to devote much time and energy to a service for which they are not adequately compensated.

As has been previously mentioned, the attitude of public men, the declarations of party platforms and the present status of the merit system indicate no revulsion against that system; on the contrary its maintenance practically intact under trying circumstances shows that civil service reform is not only holding its own but has secured a hold on the public mind which renders a debauchment of the service impossible.

Summing up the situation in the state of New York in regard to the merit system as applied to higher state officers, I would say:

First, Under our present governmental system certain higher positions must remain unclassified or exempt.

Second, The merit system is already applied to very many higher state positions.

Third, The civil service commission as now organized and equipped is ready and able to hold examinations for any class of positions.

Fourth, That a number of newly created positions and others in the exempt class will eventually be returned to the competitive class.

Fifth, That amendments to the law are desirable to restrict the exempt class, and to strengthen the commission.

Sixth, The present status of the reform movement indicates no return to the spoils system, and this is due, no doubt, in a large measure, to the National Civil Service Reform League and its individual members whose influence in shaping legislation on the merit system has been so marked. Indeed, I think it is not too much to say that but for the work of this league many states and cities would be ten years behind the adoption of civil service laws.

I cannot conclude without a word of tribute to such far-seeing pioneers of the civil service reform movement as George William Curtis, Dorman B. Eaton, Carl Schurz and others to whose efforts we largely owe the early adoption of the merit system in New York state.

## Methods of Removal in the Chicago and Illinois Services

ROBERT CATHERWOOD, PRESIDENT OF THE CHICAGO CIVIL  
SERVICE REFORM ASSOCIATION

### SCOPE

The removal problem in the classified civil service involves these questions:

1. How to measure efficiency, to fix responsibility for inefficiency and to provide certain and automatic correctives:

2. How to promote economy and efficiency by providing for the humane and honorable retirement of superannuated employes, or their transfer to suitable work.

3. How to establish and maintain a just and fair relation between the rights of the public as an employer or capitalist on the one hand and the rights of the public servants as employes or workers on the other hand.

4. How to insure the maintenance of proper discipline, so that whatever the policies of the people's policy making officers may be, their directions relative thereto shall be loyally and faithfully executed by the civil service.

5. How to prevent removals either openly or under disguise, either for political reasons, or for personal reasons where the idiosyncrasies or prejudices of an individual may destroy all uniformity and system and override considerations of fairness and of the public good.

In scope, a removal provision must be adapted for application to all offices and places in the public service, except the short ballot elective offices, a few offices in the nature of cabinet positions dealing with general policies and the judicial offices. Such a provision must be tested and shown to be effective, practical and fair in its operation upon cases involving high executive and administrative officials, experts and supervising officers, on the one hand, and common laborers and office boys on the

other. In its broad aspects such a provision must be an exponent of efficient democracy.

There are several methods proposed for ascertaining inefficiency and applying correctives.

#### REMOVALS BY SUPERIOR OFFICERS

First, it is suggested that the power of removing subordinates be placed in the hands of the supervising officer directly over them but below the rank of department heads. By this method the advantages of personal observation and of intimate knowledge are obtained, as long as the men under such officer are not so numerous as to pass beyond all possibility of personal attention. This is the system of small business enterprises. No doubt it is a good system where the organization is simple and personal supervision by a few men possible. But there are no well managed business organizations, employing upwards of five thousand men, which have not abandoned this method. The railroads, with their superintendents of employment and their grievance committees, were obliged to reject it many years ago. Obviously, such a system in the public service must fail to meet the problem of the elimination of useless places. The supervising officer is not in a position to co-ordinate his work and organization, with the work of other officers. He cannot determine whether the group of which he has personal direction is being handled in an effective manner in relation to other groups. He cannot deal with the question of useless places and bad organization at all. It is also obvious that any such system in the public service means vesting thousands of people with the power of discharge and that with a multitude of removing officers the chances are that the power will be frequently exercised in behalf of outside interests and to forward political ambitions. But the mere fact that such a system sets up as many practical standards of efficiency as there are supervising officers, makes its degeneration into chaos and petty tyranny certain.

#### REMOVALS BY DEPARTMENT HEADS

Second, it is proposed to vest the power of removal

in the several department heads. One proposal is to give the department head the absolute power of discharge, and another proposal is to give him power to discharge, subject to restrictions. But will the department heads exercise the power? Experience shows that they may exercise it in times of political turnover, but that under normal conditions they seldom act at all. The inertia of a large organization is very great. The departments at Washington constantly illustrate the plain fact that departmental removals are both rare and irrational. The federal service tends to be encumbered with incompetents who are a dead weight upon the live men. A removal provision should be drawn to insure proper removals, because what we are seeking is tenure during efficiency only. But the department head, with legal and apparent freedom to do as he pleases, is, in many ways, practically bound to inaction. He is tied down by political conditions. He is open to attack through his appropriation bills. He has pending in Congress or the Legislative body, proposals for needed legislation which can be used as a club by influential bushwhackers. He can be badgered in the press and he can be pestered privately. His decision in a removal case is open to misrepresentation and to all sorts of attacks by his political enemies. To illustrate:

We all know of one well intentioned department head, vested with the so called absolute power of removal, who, with the consent of the President, invited a highly paid efficiency expert to cost figure and measure the service of his department, with a view to reporting for appropriate executive action, any useless places which might be found. It was known that there were positions in the department created for duties peculiar to Civil War conditions of forty years ago. The expert made a careful investigation of the department, extending over a period of months, and he laid before the Secretary a list of some two hundred men and gave it as his professional opinion that they were useless employees. The department appointed a committee to go over this list and check the work of the expert. The committee took a most conservative view and wherever a reasonable doubt ex-

isted it was solved in favor of retaining the employe. The committee also decided to eliminate only those incompetents who were occupying useless or obsolete positions. By this doubly conservative process, the list was reduced to seventy names. The list of seventy was laid before the Secretary and by him before the President and, with the approval of the President, the Secretary eliminated the seventy positions and the men in them. Thereupon the seventy men bestirred themselves with Congressmen and Senators. The President was soon brought face to face with threats to hold up important legislation. It was a question of balance. Should the seventy men be left undisturbed or should a group in Congress be alienated and important measures jeopardized? Within a week, the seventy incompetent men, admittedly, holding utterly useless places, were back at work, and had thus taught the President of the United States and the head of the department the true value of the "absolute power" of discharge. The lesson is soon learned. The department head has to avoid "affronting" Congressmen, to consider the power behind the employe, to overcome natural inertia, and to run the chance of a stubborn fight, all on a question of individual efficiency. At a critical juncture, the trend of legislation may be profoundly influenced by some jealousy or quarrel engendered by the exercise of a department's removal powers.

#### ABSOLUTE POWER AND TRIAL BOARD SYSTEM COMPARED

In Chicago, we have had an opportunity to see the department head's absolute power of discharge operating side by side with the central trial board's power of discharge. Under the Chicago civil service law, hold-overs, or employes in the service prior to the adoption of the Act of 1895, remain subject to the department heads' unrestricted power of discharge. These men, feeling that they might be subjected at any moment to the arbitrary action of the department head, naturally built up their political fences, and, as a result, two successive mayors of Chicago have felt it necessary to instruct their department heads not to exercise the power of discharge in respect to these men, until the case could be thoroughly

canvassed with the mayor. The reason is apparent. Their discharge for inefficiency, drunkenness, or infraction of discipline, immediately raises an issue between the administration and a group of ward leaders. Colonel Leroy T. Steward, Chief of Police under the last Chicago city administration and now Superintendent of the Delivery of Mails in the Chicago post office, in a memorandum on this subject states:

"The civil service law is a response to the public demand for a more efficient public service. Public employes should be retained only during the period of efficiency. The law establishes a standard of merit for entrance for new men, but the holdovers, many of whom cannot meet a single requirement of the civil service examination standards, have hedged themselves about with defenses so that it is more difficult to remove them than to remove a civil service employe. They have tacitly banded themselves together in a common cause for mutual protection. Whenever they become the subject of disciplinary action by the head of the department, although their efficiency is lower than that of the civil service appointees, they rally about them the whole machinery of the protecting organization.

"The average executive is exceedingly reluctant to start any action which is likely to be productive of no results. The civil service appointee, on the other hand, stands or falls absolutely on his own merits. When charges are filed against him for infraction of rules or inefficiency, he is absolutely dissociated in his defense from his fellows and unsupported by the sentiment and influences which hedge about the hold-over. To illustrate, when General Superintendent of Police, I found the holdovers inclined to make common cause and through their political connections to oppose the actions of the Department by a most formidable opposition. My experience in the city service proved that it is very much easier to remove or discipline a man in the classified service than to remove or discipline the holdover."

The Chicago Fire Marshal says that the city firemen,

as a rule, "would rather suffer thirty days' suspension at the hands of the department, than to suffer a lesser penalty inflicted by the civil service commission." That means that when a Republican or Democratic fire marshal punishes a fireman, the fireman may convince his friends that he is a martyr, but when the trial board of the civil service commission after a public hearing disposes of his case, the general opinion is that the man received his just deserts.

Public departments are sometimes infested with more or less incompetent employes who seem to assert a vested property right in their places. By actual written count, an incompetent \$1,800 "holdover" clerk, who had been discharged by the department, once succeeded in inducing two hundred and six persons to call, in his behalf, upon a department head. Those barred in the outer office were not counted. The machinations and persistency of this man were most troublesome, and the loss of time, the scandal and the annoyance incident to his case, incalculable. The succeeding department head restored him. Such cases are easily dealt with once for all by a central removal board.

Again, if you assert that tenure is based upon efficiency, you must, to be intelligible, provide some measure of efficiency. You must standardize duties, measure service, and base your removals on inefficiency as shown by the demonstrated result. Efficiency, measured by judgment, is of no value in a great organization. The intercollegiate football games are scored upon a system uniform throughout the country. We do not take the opinion of one umpire, that, after watching the Harvard and Yale teams playing together, he believes that, on the whole, Yale is the better; of another umpire that he has watched Wisconsin and Minnesota, and considers the former superior. There must be a definite uniform score or measure of efficiency before you can determine inefficiency. The whole matter is a question for specialists.

Where department heads are changed every four years, where they are expected to manage great government undertakings and participate in the formation of policies, it seems absurd to set them to measuring indi-



vidual efficiency and to wrangling with the friends of employes. Of course, they will not measure efficiency on any just and scientific basis; of course, they will hit where they can and leave alone where they must. Thus the absolute power of removal in department heads creates a hit and miss, rough and ready system, based upon the personal ideas or judgment of the chief. This is not tenure during efficiency. In one department you have a martinet and in another a chief who will tolerate almost anything. There is no standard of efficiency in a department and still less there is no standard for the whole service. Such a system reduces "tenure during efficiency" to a farce. The whole tendency is to lower the quality of service, increase expenses and to lose the benefits of the civil service examination.

#### RESTRICTIONS UPON DEPARTMENT HEAD'S POWER

The proposal to restrict and guide the department heads in removals is open to an insuperable objection. Setting the brakes to the wagon will not help the stalled horse to draw the load. If department heads will not remove where their power is unrestricted, why should we suppose that restrictions and red tape will induce them to act? If you believe that department heads are capable of handling removals scientifically, under proper standards, and that uniformity in the service and uniformity from administration to administration is not desirable, does it not follow that you must require department heads to hold the entrance examinations?

#### FITNESS TO ENTER AND EFFICIENCY IN SERVICE SIMILAR PROBLEMS

It seems strange that one should be obliged to state that the object of a removal provision in the civil service law is to bring about removals for just cause and not to lock all employes in their places. There is no private or vested right to an office or place of employment. Why should not the measure of efficiency in service be the same as the examination standard of fitness to enter the service? If an applicant cannot pass the minimum standard in an examination, he is excluded from the eligible

list. Why should we not remove him, if his efficiency deteriorates below the same standard? The two go together. If it be true that the department head should remove his own men, according to his own standards or lack of standards, it follows that he should examine and select them according to his own standards or lack of standards. If we are justified in "interfering" with the department head by imposing a standard of fitness for entering his service, we are equally justified in "interfering" with him by imposing an equivalent standard of efficiency. If fitness is a technical question requiring uniform methods throughout the service, so, too, is efficiency. The possible objection to a central removal board in the federal service, on the score that the service is widely scattered throughout the country, may be met by the district system, as it was in the case of federal entrance examinations. As a matter of practical experience, this difficulty was solved in Illinois by providing a district system for trial officers under the commission.

#### OPERATION OF THE REMOVAL BOARD SYSTEM

The Illinois experience proves that the virtual transfer of the removal power from the department head to a central trial board under the civil service commission, results in no loss of dignity or ascendancy over the employes. While department heads legally retain the power of suspending men for thirty days or less, two successive mayors of Chicago have advised them not to use this power. There is a feeling among the higher officials that by the creation of a central removal board, one of the most fruitful sources of misrepresentation, public criticism, quarrels, outside interference and friction, has been removed from the department. The department head makes his rules, and these rules together with a code of removal rules common to the whole service, are applied by the trial board. In the state and county the trial officers are in the classified civil service; in the city they are appointed by the commission, one or more of the commissioners, and sometimes a representative of the department and sometimes a member of the staff of the commission, sitting. If a high official is on trial, the

commission will itself hear the matter. In all jurisdictions, the chief executive, the department heads, the bureau chiefs, the heads of institutions and offices in charge of distinct branches of work and (under certain restrictions) citizens, may file charges. Charges, once filed, cannot be withdrawn.

The secretary of the civil service commission must file charges where the records of the commission show that probable cause for removal exists. A growing practice among department heads, where there is a breach of discipline or failure to get results, is to file charges against everybody concerned and leave the trial officers to investigate and decide upon the whole question. A fire company is one minute or more late at a fire; charges are filed against the entire company. The trial officer determines, upon investigation, who was responsible for the delay, and discharges, fines, or enters an efficiency demerit. Again, one of the state charitable institutions prohibited the striking of patients, under any circumstances, upon penalty of discharge. A citizen proved that one of the most valuable men in the institution had, under extenuating circumstances, struck a patient. The superintendent objected to the enforcement of his own rule. The trial board discharged the man. The superintendent then made the proper qualification of the rule of the institution. The case caused two other institutions to revise their rules and eliminate features intended for ornamentation but not for enforcement.

Under the trial board system the department head is not troubled with the pleading friends of an erring employe. The alderman and the legislator do not hear, nor are they asked to hear, appeals. Thus the removal of an employe is no longer such an "affront" to representatives of the employe's district that it can only be avenged by the rejection of an appropriation bill or a cherished departmental measure.

#### NATURE OF HEARINGS AND THEIR RESULTS

The hearing before the trial board is not a trial burdened with the forms of legal procedure. It would be intolerable if it were. Years ago the whole civil service

law in Chicago was nearly wrecked by treating removal hearings as though they were criminal trials, encumbered with all sorts of pleadings and technicalities. We now understand that such a hearing is merely an investigation of a question of employment. It dovetails perfectly into the idea of merit entrance examinations. When an applicant enters, his initial fitness is investigated and decided. His continued fitness is passed upon by the same independent commission. In removal hearings, the board inquires whether the facts show the employe, as measured by the standard laid down by the rules for the whole service and by the rules of his particular kind of service, is, or is not, efficient; whether he, or someone else, is fairly to be charged with the inefficiency complained of. Instances of conspicuous gallantry and personal efficiency of an officer have arisen, in which, but for impartial public hearings, the officer would have been discharged for political reasons.

An influential politician was arrested by a police officer for speeding. The politician was booked at the police station. Under express orders from the chief executive, the department filed charges against the police officer. It was shown at the hearing, before the civil service board, that the politician was in fact speeding, and that he had threatened the police officer. The officer was reinstated with pay and given a credit on his promotion record.

In five departments of the state, where the department heads possessed the absolute right of discharge, the number of removals in 1910 was two hundred and three. In 1911 when the trial board was established over these same departments, the number of removals was four hundred and sixty-seven. All this occurred under one and the same administration and the same commission. The Illinois system of removals is indisputably a factor in the marked improvement observed recently in the quality of applicants for entrance examinations. A further improvement in the quality of applicants and an advance in efficiency standards would be had, if the existing pension laws for faithful and superannuated employes were consolidated and the pension rules were made to conform

to the civil service standards. But even without this, such improvement is very marked. Assure an applicant that, if he comes out at the head of an eligible list, he will be appointed; assure him that, so long as he does his work well, a career is open to him in the public service, wherein he will be backed by the whole power of the civil service law and public sentiment; then will the able and ambitious young men enter the lists and serve the state and nation.

In Illinois we feel that standardization of duties and efficiency records administered by the commission are certain and automatic correctives. The consolidation of existing pension funds, with a view to humane and honorable retirement of employes, is an obvious step where you have standards of service, efficiency records and a uniform removal system, all under one body. Cause for discharge, when defined in advance, shown by measured service and applied by impartial arbiters, is a just and fair compromise between capital and labor. Political and irrational removals in the classified service can be prevented by a uniform system in the hands of an impartial administrative agency, and the department heads' authority is in no wise impaired.

In Illinois we stand with the federal service for appointment only on ascertained fitness. And as in Illinois we believe that our civil service commission is the body to determine fitness, so we believe that this same body and no other body or person, should be charged with the duty of determining efficiency. Merit is the standard and the unit. By merit a public servant enters our service; by, and only by, continued merit he remains in that service; and for lack of merit he is removed.

## The Illinois System of Removals in the Civil Service

HON. WILLIAM B. HALE, TRIAL OFFICER OF THE ILLINOIS  
STATE CIVIL SERVICE COMMISSION FOR  
THE NORTHERN DISTRICT

In response to an overwhelming popular vote the Legislature of Illinois, in the year 1911, extended the State civil service law to include about 2,700 new positions. By its language this law of 1911 covers all offices and places of employment then in existence or thereafter to be created, but specifies certain exceptions, some of which are elective officers, officers appointed by the governor and confirmed by the senate, and the superintendents of the state correctional, penal and reformatory institutions. The largest departments taken under the new law are the penitentiaries, grain inspection department, the game department, the railroad and warehouse commission, factory inspection department, the food commission and the canal commission.

The law of 1911 also made important changes in the administration of the civil service, by adding several new provisions which deserve special notice. These are the provisions for standardization and efficiency; the method of discharge was also changed from a system where discharge was made by the appointing power, subject only to investigation and possible disapproval by the civil service commission, to the present method, which gives the commission the power of discharge, and assures to all persons in the classified service a hearing by the civil service commission or by some officer or board appointed by it upon the charges filed.

The departments of the state government are distributed over many different parts of the state; and the commission selected twenty different investigating officers, to take charge of removals, who reside at the convenient points throughout the state.

Since the law of 1911 went into effect the aggregate number of dismissals from the service has been large. But the number of such cases before the Chicago officer has not been great enough to warrant general conclusions as to the operation of the law in the matter of discharges. The methods employed have, however, become well established and certain phases of the removal system are not without interest.

There is a striking contrast between the law of 1905 and the law of 1911 with regard to removals. The former law (of 1905) made provision for classification of the service and for removals or reductions in grade by the appointing power on written specifications, which the employee could answer in writing. But the law did not make necessary any action by the civil service commission with respect to discharges. It merely provided that copies of the charges should be filed with the civil service commission and the commission might then in its discretion approve or disapprove any removal, and in that connection could investigate such removal and compel the attendance of witnesses and the production of relevant books and papers.

The law of 1911 gives the commission power to define what shall be cause for removal. It further provides that the commission shall standardize service by ascertaining the duties of each office and designating by rule the grade of each position. The commission is required to keep a record of the relative efficiency of each officer and employee in the classified service.

The law further provides, with respect to removals, that no officer or employee shall be removed or discharged, except for cause upon written charges and after an opportunity to be heard in his own defense. It further provides that such charges shall be investigated by or before the civil service commission or by or before some officer or board appointed by said commission, and that the decision of the commission or of such investigating officer, when approved by the commission, shall be certified to the appointing officer and forthwith enforced. The commission and any board or officer appointed by it

for this purpose are given power to administer oaths and to secure by subpoena the attendance and the testimony of witnesses and the production of books and papers.

Section 4 of the act gives the commission power to make rules to carry out the purposes of the act and for examinations, appointments, transfers and removals and for maintaining and keeping records of efficiency.

It will be observed that in the act of 1911 itself no limitation is made with respect to the persons who may file charges. The subject is therefore disposed of by the rules which have been adopted pursuant to the act as follows:

(1) It is made the duty of the superintendent or chief managing officer in charge of or responsible for the work of the department, institution or office, to file charges against an officer or employee subordinate to him in the classified service, if there be cause for the removal of such officer or employee.

(2) It is further provided that charges *may* be filed by the appointing officer or by direction of the commission, board or officer in charge of the department, institution or office where the officer or employee in question is situated.

(3) It is made the *duty* of the secretary of the civil service commission to file charges against any officer or employee in the classified service where records of the commission show a *prima facie* case of cause for removal of such officer or employee.

(4) It is further provided that charges *may* be filed by any citizen of the State against any officer or employee in the classified service, where in the judgment of the secretary of the commission the facts alleged under oath by such citizen and supported by affidavit of one or more witnesses, would if charged and established, amount to cause for the discharge of such officer or employee.

If therefore the officer who immediately supervises the work of any particular incompetent person in the classified service, fails to perform his duty of filing charges, we are not left without means of removing such person; the appointing power may also file such



charges, and the secretary of the civil service commission *must* file charges if his records show cause for removal. A citizen may likewise set the machinery of discharge in motion if he files the necessary affidavits. The failure of any superintendent or other head who is within the classified service to file charges in such a case would be ground for his own removal.

The rules also provide that all charges shall be filed with the civil service commission and when once filed cannot be withdrawn; and that upon the filing of charges, the commission shall mail to the officer or employee charged, a copy of such charges with a notice stating the time when and the place where such charges will be investigated, not less than five days after the mailing of the notice; and that a stenographic transcript of all proceedings at the investigation or the hearing be made and transmitted to the commission.

The rules further specify in detail what shall be cause for removal or discharge from the classified service. Eighteen specific causes are enumerated. These include the breach of any departmental rules, the failure of the employee to perform the duties of his position, and that his average of efficiency kept in accordance with the rules of the commission, is less than seventy per cent. The rules also provide that removals may be based upon charges other than those enumerated.

In my experience as trial officer in Chicago some cases for removal of employees came through charges filed by the chief executive officer in charge of the work of a department, about an equal number through the secretary of the civil service commission, and in one instance charges were filed by a citizen of the state. There have been other cases of charges filed by a citizen where the employee charged resigned before a hearing.

Our Supreme Court has held that courts will not investigate the facts with respect to a discharge made by a civil service commission, but will only review the question of whether the employee has been given his opportunity to be heard as provided by the statute. He must therefore be given proper notice, and the charges must be clear enough to apprise him of the general

nature of the questions to be investigated. It is easy to ascertain the proper basis for filing charges because of the clearness of the grounds for discharge set out in the rules above mentioned; and in case of inefficiency the records kept by the civil service commission clearly indicate in what respect the employee is delinquent.

At some of the early hearings which we held in Chicago, persons charged appeared in person and by attorney, and in one instance a department head employed an attorney to present the case for discharge against the employee in question. This practice has been discouraged. The hearing is not a trial but an investigation, and while an employee may go to the expense of having his lawyer if he chooses, our experience shows that there is little or nothing for a lawyer to do. The hearing is not limited by any rules of evidence or procedure. It is also conducted in a very informal manner. The investigating officer, the stenographer, the head of the office, the employee charged and other persons who may act as witnesses sit down around a table together; and the questions relating to the charges are discussed. Only such an amount of form is observed as to bring about an orderly presentation of all of the facts. The investigating officer cross-examines the head of the department, and the employee and all of the witnesses, and receives suggestions from any source that seems important.

Entirely irrelevant evidence is of course excluded. The question being whether the employee is fit or unfit for the position he occupies, all circumstances bearing upon that question and relating to the charges should be investigated; but not merely impertinent matter.

It may appear that the motive or cause for filing charges is political. While it is true that the good faith of the department head or other person filing the charges should be always presumed, clear proof that a political motive is behind the charges should result in their dismissal. The spirit of the law is that removals are made only to increase efficiency and maintain proper subordination. It would demoralize the public service if charges

prompted by political motives could be successfully disguised under alleged motives of efficiency.

The order which may be entered by the investigating officer is not a finding of guilty or not guilty. This savors too much of the criminal trial, and is injurious to the employee when seeking other employment. The discharge is no more serious than a discharge from private business; and no prejudice should exist against such employee's general character, without a knowledge of the specific matters relating to his discharge. The investigating officer may enter an order of dismissal from the service, or he may order that a portion of salary be withheld, or that a demerit or reduction in efficiency grading be entered. Any action of the investigating officer is subject to the approval or disapproval of the civil service commission. The officer transmits to the commission his finding in the case, which is entered upon a blank form provided for that purpose. He also transmits a stenographic copy of the evidence taken at the hearing. The commission then acts upon this finding; the order is certified to the appointing officer and must be forthwith enforced.

Experience in the state service in Chicago has shown that the question of removals has been closely dependent upon and related to the work of the civil service commission in standardization and efficiency. When the law of 1911 went into effect, it took over into the classified service, without examination, all of the persons occupying the offices and places of employment newly covered by the act. It therefore took into the classified service many persons unfit for the duties which they were supposed to perform. It also exempted officers appointed by the governor and confirmed by the senate, and the heads of the various institutions.

We have found that these political heads of offices and departments do not exercise their right of discharge often enough. The employees having secured their appointments by political influence, do not lose such influence after appointment, and are actually more secure in their tenure during the dominance of a single party than those in the classified service. The superior officer

regards such employees as practically exempt from discharge; and this sentiment we have found to prevail as much since the passage of the law as prior to it. On the other hand it has been shown that new employees furnished through civil service examination are regarded by their superior officers as being employed upon the basis of merit only, and the heads of institutions, departments and offices have been very quick to file charges against such new employees for offenses which they would disregard in the case of holdovers. Nor has this been due to an unfriendly attitude toward the civil service law. While it is true that the heads of some of the large departments in Chicago were at first unfriendly to the law and jealous of interference by an outside commission, their attitude has now entirely changed, and the system is recognized as satisfactory and desirable. I know of no exceptions.

It is safe to say that the great majority of removals which have come before the Chicago officer have been brought about directly or indirectly through the efficiency work of the civil service commission.

We found, for example, that one of the smaller state examining boards was conducting its examination of a certain profession in Chicago under a very lax system in which no accurate records were kept, the time of the deputy examiners was not recorded, and the whole atmosphere was that simply of a political office, the jobs in which were obtained and retained through political activity. It was a place where political workers had always been taken care of and where the business of the department was regarded as merely a side issue. The idea of efficiency was so strange and foreign as to create laughter. This state of affairs developed in the course of the efficiency investigation made by the civil service commission. Mr. Moulton, president of the Commission, found the head of the department unable, though not unwilling, to himself obtain real efficiency and real records in his own department.

The department head, after conference with the civil service commission, devised a system of records showing day by day the work of each man. After this system

had been in use for some time it developed that several employees were so ignorant or careless that they could not fill out their blank daily reports correctly. The department head, not himself desiring to file charges, was perfectly willing that the secretary of the Commission should do so. Discharges were then made upon charges filed by the secretary of the civil service commission. The results of the investigation were called to the attention of the Governor, and he saw fit to make a change in the head of the department.

About a year ago charges were filed by a citizen against the highest officer under the head of the grain department in the city of Chicago. The citizen was a prominent member of the Board of Trade who thought that he had been injured in certain grain inspections. These charges were supported by two affidavits, pursuant to the rules, and after the secretary of the commission had examined them and certified that if proved they would amount to cause for discharge, notices for a hearing were sent and subpoenas issued. A large number of people were present. Most of the employees in the grain office came in for a part of the hearing and many members of the Board of Trade sat throughout the investigation. The charges were dismissed. The officer against whom the charges were filed was not shown to have been connected with the false grading of grain complained of. But the methods of the grain office were freely discussed and valuable material for efficiency records and for the future guidance of the head of the department were obtained.

Certain "by products" of these investigations deserve notice. We have found for example in some instances that the employee charged had never properly understood the duties of his position. This showed the necessity for more specific departmental rules and instructions to employees; and the result of such hearings was to adjust the relations of employer and employee and to do away with much friction and unfriendly feeling.

Another "by product" is the compilation of various facts with reference to the department in question, for future use by the department and by the civil service

commission in its efficiency investigations and in its classifying and grading of positions. The duties of the place in question became clearly defined, or it becomes apparent that some change should be made in the duties which were supposed to belong to the officer charged.

The removal system has been in force in Illinois for only sixteen months. It may not be safe therefore to draw general conclusions. But we do know that all of the hearings so far have appeared not only to achieve just results, but have been generally satisfactory to the department heads and to the employees. The Civil Service Commission of Illinois and the Governor of the State deserve commendation for their impartial enforcement of this new law in the matter of removals.

ORGANIZATION  
OF THE  
National Civil Service Reform League.

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CONSTITUTION  
[REVISED DECEMBER 13, 1900.]

ARTICLE I.

The name of this organization shall be the National Civil Service Reform League.

ARTICLE II.

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of civil service reform in the United States.

ARTICLE III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such Association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such Association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other society or organization to take part in any designated meeting of the League.

The Council may also admit, in such manner as it may prescribe, associate and sustaining members of the League. The annual dues for associate members shall

be five dollars and for sustaining members twenty-five dollars. Associate and sustaining members shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

#### ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any Association shall demand a vote by Associations, in which case each Association represented shall be entitled to one vote, which vote shall be cast by the delegates from such Association present at such meeting or by a majority of them.

#### ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

#### ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be chosen, and may be removed by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be *ex-officio* members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.



The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice-President may be filled by the Council until the annual meeting next following.

#### ARTICLE VII.

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

#### ARTICLE VIII.

There shall be an annual meeting of the League at such time in each year, and at such place as the Council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

#### ARTICLE IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.

## BY-LAWS.

[ADOPTED BY THE COUNCIL JANUARY 18, 1901.]

§ 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.

§ 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.

§ 3. The Council shall elect its Chairman and the Secretary, Treasurer and Assistant Secretary of the League, at its meeting next succeeding each annual meeting of the League.

§ 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made, during the year.

§ 5. The order of business at each meeting of the Council shall be:

1. The reading and correction of the minutes of the last meeting.  
And thereafter, unless otherwise ordered, as follows:
2. The admission of new Associations.
3. Statement of the Treasurer.
4. Report from the office of the Secretary.
5. Reports of Standing Committees.

6. Reports of Special Committees.

7. Miscellaneous business.

§ 6. There shall be the following Standing Committees to be annually appointed as the Council shall direct:

(1) A Committee on Finance, to consist of not less than nine members;

(2) A Committee on Publication, to consist of at least three members; and, *ex-officio*, the Secretary and the President of the League; and

(3) A Committee on Law, to consist of at least four members, and, *ex-officio*, the Chairman of the Council.

These Committees shall discharge the duties appropriate to their respective titles; vacancies occurring in any one of them may be filled by the Chairman of the Council.

§ 7. The following Special Committees shall be appointed as the Council shall direct, and discharged at the conclusion of the annual meeting of the League, next following:

(1) A Committee on Nominations, to consist of six members and, *ex-officio*, the Chairman of the Council.

(2) A Committee on Resolutions, to consist of six members, and, *ex-officio*, the President of the League.

These two Committees shall submit their reports at a meeting of the Council immediately preceding the annual meeting of the League.

(3) A Committee on Report and Programme, to consist of two members, and, *ex-officio*, the President of the League, the Chairman of the Council and the Secretary; a part of whose duty shall be to prepare, for consideration by the Council, the draft of the annual report required by Article VI of the Constitution.

§ 8. These By-Laws may be amended at any meeting of the Council by a unanimous vote of the members present, or by the vote of a majority of such members, provided that, in the latter event, notice of the contemplated amendment shall have been given in the call of the meeting.

## **PUBLICATIONS OF THE NEW YORK CIVIL SERVICE REFORM ASSOCIATION**

---

**Annual Reports of the New York Civil Service Reform Association, 1895 to 1912, inclusive.**

**Term and Tenure of Office.** By Dorman B. Eaton. (1882.)

**Daniel Webster and the Spoils System.** An extract from Senator Bayard's oration at Dartmouth College, June, 1882.

**Address of Hon. Carl Schurz** in opposition to the bill to amend the New York Civil Service Laws, commonly known as the "Black Act." May 6, 1897.

**Retirement Legislation in New York.** Report of a Special Committee. (1911.)

---

### **MISCELLANEOUS.**

**The Organization of the Modern Consular Service.** By George McAneny. (Reprinted, by permission, from the Century Magazine, for February, 1899.)

**The Reform of the Civil Service—Interest of Women in the Movement.** By Mrs. George McAneny. Published by the Women's Auxiliary to the New York Civil Service Reform Association. (1900.)

**Civil Service in Great Britain.** By Dorman B. Eaton. Published by Harper & Brothers. (1881.)

**The Relation of Civil Service Reform to Municipal Reform.** By Carl Schurz. Published by the National Municipal League.

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## **GOOD GOVERNMENT**

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# PROCEEDINGS

AT THE ANNUAL MEETING OF

## The National Civil Service Reform League

HELD AT

BOSTON, MASS., DEC. 11 AND 12, 1913

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

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PUBLISHED FOR THE  
NATIONAL CIVIL SERVICE REFORM LEAGUE  
79 WALL STREET  
NEW YORK

1913

# Publications of the National Civil Service Reform League

**Proceedings at the Annual Meetings of the National Civil Service Reform League, 1894 to 1918, inclusive, (excepting 1895 and 1898, out of print).**

**A Review of the Year.** By Carl Schurz. (Address of 1898.)

**Renewed Struggles.** By Carl Schurz. (Address of 1899.)

**Some Object Lessons.** By Carl Schurz. (Address of 1903.)

**Can We Trust Our Army to Spoilsmen?** By Charles J. Bonaparte. (1898.)

**Results of Recent Agitation of Consular Service—Their Value—What Next?** By Jonathan A. Lane. (1895.)

**An Open Letter to Hon. C. H. Grosvenor,** in reply to recent attacks on the Civil Service Law and Rules. By George McAneny. (1897.)

**The Need and Best Means for Providing a Competent and Stable Civil Service for Our New Dependencies.** By Dorman B. Eaton. (1898.)

**The Choice of Correct Methods in the Administration of American Dependencies.** By Elliot H. Goodwin. (1900.)

**Four Reports.** Prepared by the Investigating Committee of the National Civil Service Reform League. (1901.)

**Superannuation in the Civil Service.** Reports of Special Committees. (1901, 1906, 1907, 1909, 1910 and 1911.)

**Withdrawals from the Civil Service.** Report of a Special Committee of the League. (1906.)

**The Situation in Porto Rico.** Report of the Committee on the Civil Service in Dependencies. (1902.)

**Governor Hughes on Civil Service Reform.** Address of Governor Charles E. Hughes, of New York, at the Annual Meeting of the League. (1907.)

**The Business Value of Civil Service Reform.** (Third Revised Edition.) (1913.)

**Activity of Federal Office Holders in Politics.** Report of a Special Committee of the League. (1909.)

**The Fundamental Reform.** By President Charles W. Eliot. (Address of 1909.)

**Things Won and Greater Things Not Yet Won.** By President Charles W. Eliot. (Address of 1910.)

**Promotions in the Civil Service.** Report of a Special Committee of the League. (1910.)

**Politics vs. the Administration of Justice.** By Hon. Winfred T. Denison. (1910.)

**Coal Hod Politics.** By Hon. Winfred T. Denison. (1911.)

**The Relation of Organized Labor to Civil Service Reform.** By Hon. Samuel B. Donnelly. (1911.)

**Civil Service Reform and Popular Government.** By President Charles W. Eliot. (Address of 1911.)

**Draft of a Civil Service Law for Cities.** Prepared by a Special Committee of the League. (1912.)

**The Merit System and the New Democratic Party.** By President Charles W. Eliot. (Address of 1912.)

**Address.** (1913.) By President Charles W. Eliot.

**The Merit System in Road Management.** By Logan W. Page. (1913.)

**The Choice of Municipal Experts Through Competitive Examinations in Philadelphia.** By Hon. Lewis H. Van Dusen. (1913.)

**Preliminary Report of the Special Committee on Removals in the Civil Service.** (1913.)

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# ANNUAL MEETING

## OF THE

### NATIONAL CIVIL SERVICE REFORM LEAGUE.

DECEMBER 11 AND 12, 1913.

**P**URSUANT to a call duly issued, the Thirty-third Annual Meeting of the National Civil Service Reform League was held at Boston, Mass., the 11th and 12th of December, 1913. The following delegates from Civil Service Reform Associations and Auxiliaries were in attendance during the several sessions:

BUFFALO: Henry W. Sprague, Ansley Wilcox.

CHICAGO AND ILLINOIS: Samuel Dauchy.

CONNECTICUT: William A. Aiken, John C. Brinsmade, Charles G. Morris.

INDIANA: Joseph J. Daniels.

MARYLAND: Charles J. Bonaparte.

MARYLAND AUXILIARY: Mrs. E. Linden Mellus.

MASSACHUSETTS: Arthur H. Brooks, Richard H. Dana, Charles W. Eliot, Howard R. Guild, Theodore Hoague, Archibald M. Howe, G. Harvey Hull, William V. Kellen, James J. Myers, Samuel Y. Nash, Grenville H. Norcross, William Simes, Morrill Wyman, Jr.

MASSACHUSETTS AUXILIARY: Mrs. Richard C. Cabot, Mrs. Helen G. Gillman, Mrs. Lucia Ames Mead, Miss Marian C. Nichols, Miss Elizabeth C. Putnam, Miss Helen L. Reed, Mrs. A. S. Parker Weeks.

NEW JERSEY: Frederick N. Willson.

NEW YORK: Robt. W. Belcher, Roscoe C. E. Brown, Elliot H. Goodwin, Henry W. Haddon, George T. Keyes, William G. Low, Harry S. Ludlow, Harry W. Marsh, Samuel H. Ordway, Nelson S. Spencer, Hamilton B. Tompkins, Everett P. Wheeler.

NEW YORK AUXILIARY: Mrs. Everett P. Wheeler.

PENNSYLVANIA: Albert Smith Faight, R. Francis Wood, Clinton Rogers Woodruff.

In response to invitations issued by the League to

municipal reform associations and other bodies interested in the reform of the civil service, delegates were present from such organizations as follows:

BUFFALO CHAMBER OF COMMERCE: Ansley Wilcox.

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA: Elliot H. Goodwin.

COOK COUNTY CIVIL SERVICE COMMISSION: Robert Catherwood.

MASSACHUSETTS CIVIL SERVICE COMMISSION: Elmer L. Curtis, Garrett H. Droppers, J. J. O'Reilly.

PHILADELPHIA CIVIL SERVICE COMMISSION: Lewis H. Van Dusen.

PORTO RICAN CIVIL SERVICE COMMISSION: Edmund Enright.

RUSKIN CLUB OF BOSTON: Miss Lilla E. Kelley.

THE NATIONAL SHORT BALLOT ORGANIZATION: H. S. Gilbertson.

UNITED STATES CIVIL SERVICE COMMISSION: Hermon W. Craven, John T. Doyle, Charles M. Galloway, Edmund C. Stebbins.

## MEETINGS OF THE LEAGUE.

The headquarters of the League during the meeting were at the Hotel Vendome, corner of Commonwealth avenue and Dartmouth street, Boston. The proceedings at the sessions of the League, commencing on the morning of December 11, were as follows:

### FIRST SESSION

Hotel Vendome,

Thursday morning, December 11.

**T**HE League convened at 11:00 a. m. President Eliot presided.

The minutes of the last Annual Meeting having been printed and distributed, their reading was omitted.

Mr. Henry W. Hardon read the report of the Council.<sup>1</sup>

The following reports from Auxiliaries and Associations composing the League were then read:

**Miss Marian C. Nichols submitted the report from the Women's Auxiliary of Massachusetts:**

In 1901 when the National League last met in Boston the Massachusetts Auxiliary was in its infancy—not having completed its first year. At that time the Auxiliary numbered about 500 members; during the twelve intervening years it has more than doubled its enrollment, having attained a membership of 1150. Since our last report to the League we have lost 11 members by death and 28 by resignation, and have gained 120 new members. The increase is largely due to a meeting of the Boston Sewing Circle League, addressed by Mrs. R. C. Cabot and Mr. Charles Warren, which brought us nearly 40 new members, to the Milton Branch which made a gain of 45 members, and to the exertions of other of our Branches, especially those in Cambridge, Dedham, Springfield and Worcester.

In 1901 our first secretary, Miss Elizabeth Foster, conceived the ideal that every school child in the United

States should be grounded in the principles of civil service reform. In that year 6000 copies of Mr. Edward Cary's pamphlet "The Merit System—The Spoils System" were distributed to schools. Since that date we have sent out between three and four hundred thousand pamphlets for use in schools and colleges scattered in every state and have brought our total distribution of pamphlets up to 570,000. Within the past year 35,541 pamphlets have been issued to 663 high and grammar schools and an additional 9565 pamphlets for general use make a total output for the year of over 45,000. Last winter the Cambridge Branch ordered 1600 pamphlets to place in 22 schools and recently we have received requests for 2400 copies each of Miss Cary's "Primer" and Mr. Foxcroft's "Civil Service Tests" from 22 schools in Boston; 2500 copies of these two pamphlets were sent last spring for 50 schools in Cincinnati and we have lately received a request from Cleveland for copies of the "Primer" to be used by the 10,500 pupils in the seventh and eighth grades.

Frequent applications are received for material on special phases of the merit system to aid in the preparation of club papers or school essays. In many cases these come from boys and girls in schools where competitions are held for our bronze medal. In 1913 medals were offered by our Branches in Brookline, Dedham, Springfield and Worcester as well by several of the Women's Clubs in Massachusetts. As a result of the Worcester competition between two and three hundred essays were written by pupils in the three high schools. The total number of medals awarded for the best essay on the merit system now exceeds one hundred. Another method of reaching the schools is by lectures and illustrated talks for teachers and pupils. Last January we arranged for Hon. William Dudley Foulke and President Eliot to address the students of the Boston Normal School. The Waltham and Worcester Branches asked Miss Anna Murphy, principal of a Framingham grammar school, to speak at meetings for teachers on the excellent work that she is doing with her pupils by her lessons on good citizenship; the Cambridge Branch held

a conference for teachers and arranged also for them to hear Mrs. Cabot and to see our lantern slides. The secretary gave a talk at two of the Dedham grammar schools and showed the lantern slides to schools in Boston, Dedham and Milton and at a meeting for younger boys in the Newton Young Men's Christian Association. At the Franklin Grammar School in Boston the slides were shown in connection with a series of talks on vocational opportunities. There is a growing demand for information on the opportunities in the civil service and the requisite preparation. To meet this need in relation to appointments in the Massachusetts Civil Service the Efficiency Committee of the Boston Branch of the Association of Collegiate Alumnae is preparing a list of state positions held by women, together with data as to salaries, duties and special requirements. As the secretary is serving on the sub-committee in charge of this work, the Auxiliary is helping in its preparation and plans to co-operate later in its publication.

Of great importance in our educational propaganda are the frequent meetings held by the Auxiliary and its Branches and the help given to other organizations in furnishing speakers. Prof. Adam Shortt was the speaker at our annual meeting. Mr. Dana and Mrs. Cabot were the speakers at the autumn conference of the Civil Service Reform Committee of the State Federation of Women's Clubs. The Cambridge Branch was addressed by President Eliot and the Newton Branch by Hon. Henry Bothfeld, our most active champion of Civil Service Reform in the Massachusetts House of Representatives. The secretary spoke at meetings of the Lynn, Milton and Springfield Branches and was invited to show the lantern slides before the Maryland Auxiliary and the New York Auxiliary. Our State Council, which brings together representatives from the executive committee and Branches, met in the spring with the Brookline Branch when Mrs. Cabot spoke on civic ideals and last December was addressed by Miss Hutchins, Assistant Probation Officer in Middlesex County, who told of possibilities of usefulness for women as truant officers. In 1912 the Auxiliary joined with a few other associations



in securing the enactment of legislation making it legal for women to hold this position. Last January several organizations interested in child welfare united with the Auxiliary in petitioning the Boston School Committee to appoint one or more women as truant officers in the Boston schools and afterwards were given a hearing on the subject. As yet the School Committee has taken no action in this direction. In February Dr. Leonard of the Ohio State Reformatory kindly spoke for us on modern methods of prison reform and Mr. J. B. Moors afterwards told of the need of extending the civil service law to the house of correction at Deer Island.

A very active but unsuccessful campaign was carried on last winter in support of the application of the merit system to Deer Island. The legislative committee of the newly formed Boston City Federation, representing 60 Women's Clubs, took this bill as its special work for the winter and as chairman of this legislative committee the secretary spoke in support of the measure before 12 of the clubs. Endorsement for this bill was given not only by a large number of clubs but by the Boston City Council, the Boston Finance Commission, the United Improvement Association, the Associated Charities of Boston, the Massachusetts Civic League and the Prison Reform League. Though the committee in charge of the bill seemed favorably impressed by the large and representative attendance at the hearing and by the arguments in favor of extending the civil service law to Deer Island, it sent to the House an adverse report. Unfortunately it was unwise to attempt to secure the substitution of the bill for the report since the matter came up just when—after a long delay—the Spanish War Veterans' Preference bill was reached on the House calendar. In spite of an adverse report a bill giving a five per cent bonus to Spanish War Veterans passed the House with little opposition and, though at first rejected by the Senate, was subsequently enacted without a roll-call vote. For the second time Governor Foss vetoed the bill. The veto was first sustained, then overridden by the House. In the interval between the two votes the Auxiliary prepared and widely circulated a list of the roll-call vote

arranged according to districts. The chief work of opposition to the measure had, however, been centred on members of the Senate and our confidence in the Senate sustaining the Governor's veto was justified by the vote of 18 to 15 with 3 pairs. During the autumn campaign an effort was made to support some of the candidates for re-election who had helped to defeat the Spanish War Veterans' Preference bill. In this connection a new circular was prepared on "Why workingmen should oppose all Spanish War Veterans' Preference Legislation." The Watertown Republican Town Committee asked for 2,000 copies of this circular in order to distribute one to each voter with a slip urging the re-election of the senator from the district on the ground of his having voted against the preference bill. As legislative agent for the Auxiliary the secretary attended practically every one of the hearings on the forty or fifty bills affecting the civil service law and likewise was present in the Senate and House to follow the more important debates on these measures. Though many bills were introduced asking for the extension of the civil service law, only one was for bringing about an exemption. Recently the Auxiliary has joined with the Milk and Baby Hygiene Association and the Instructive District Nursing Association in petitioning the Civil Service Commission to include within its rules school and other nurses not employed in institutions. The improvement resulting from the extension of the merit system to school physicians makes it desirable to place school nurses on the same basis.

Our Branches and members have helped not only in work affecting state legislation but also when appeals for aid came from the National League in regard to opposing the exemption of the income tax inspection force and later of deputy marshals and deputy collectors of internal revenue. As a result of our efforts many letters and telegrams were sent to the President and to members of Congress. In connection with the income tax inspection force proviso a circular letter signed jointly by the Auxiliary and by Mrs. Oakley, chairman of the Civil Service Reform Committee of the General Federation of

Women's Clubs, was sent to 1100 Women's Clubs throughout the country.

Our grateful acknowledgement is given to the Women's Clubs in Massachusetts for their frequent co-operation and especial credit is due to Mrs. Tabor, the able chairman of the State Federation Civil Service Reform Committee, whose zeal and energy have inspired widespread activity for the merit system. We wish also to express our indebtedness to the many teachers both within and without the State who have helped us in upholding higher standards of efficiency for the public service of city, state and nation.

**Mrs. Everett P. Wheeler submitted the report from the Women's Auxiliary of New York:**

The New York Auxiliary is glad to report to the League a year of steady and persistent effort in educational work especially among school children and immigrants. Our efforts along these lines are vigorously renewed from year to year as we realize how great is the responsibility of the present generation in preserving the reforms achieved by the early opponents of the "spoils system." Experience with essay contests among students of high school grade shows how lightly this important phase in our national history is treated in the ordinary school instruction. We have had reason also in the past year to reflect how thin is the veneer of resolution to maintain the merit system when subjected to renewed and persistent attack by the followers of the success of a different political party. Again and again we realize that the only sure pledge of obtaining the best public service rests in a generation trained to accept and support the fundamental principles for which all civil service reformers stand.

Twenty-two thousand copies of the educational pamphlets published by the Auxiliary have been sent to schools, and nearly 3,000 copies of the pamphlet on American Government, which is translated into Italian and Yiddish, have been sent to Y. M. C. A. classes for immigrants, construction camp schools and evening schools. One settlement worker writes of the pamphlet:

"I have been using it right along—to help men who have received their first papers and are studying up so as to receive their full naturalization. To my mind it is exactly adapted to the needs and wants of those for whom it is intended." The success of the Italian and Yiddish editions has been such that we are considering printing it in other languages for which the demand would justify. A recent request from the Immigration Officer of the City of Cleveland for 1,500 copies of "Honor in Politics," "Summary of the United States Constitution," and "American Government," is especially interesting as indicating the effort of a municipality to give civic training along the most desirable lines for good citizenship.

The Executive Committee has felt for a long time that there should be some effort made on the part of the public authorities to establish free training in civil service courses for the would-be government employee. The government provides training in the naval and military branches of the service and it seems neither practical nor logical to neglect the civil branch which demands fully as efficient an administration. Shortly before his resignation, Dr. Finley of the College of the City of New York made tentative plans for the establishment of civil service courses in the City College. But a more definite step has been taken by the Board of Education, which has authorized the placing of civil service courses in the curriculum of the public evening schools. The Executive Committee wrote a letter of commendation to Dr. Albert Shiels who has the matter in charge and received in reply an exceedingly interesting letter mentioning the difficulties involved in the administration of such classes, asking for help and suggestions and saying that no matter what obstacles there were, they must be overcome, for the classes should and would be held. At present there are civil service classes in sixteen of the evening schools, chiefly for clerical positions and for postmen.

Literature has been sent to women's clubs, not only in our own state but to almost every other state in the union. Classes have been held in the social settlements, and in these various ways the work of propaganda has gone on.

Last summer, in response to appeals from the League, the Auxiliary sent telegrams to committee men in the House and Senate and to the President, protesting against the exemption of the collectors of internal revenue from the application of the civil service law, and we shared in the general regret that the efforts to eliminate this amendment from the tariff bill were unavailing.

In June it was brought to our attention that women were being unfairly discriminated against in the appointments made by the fire commissioner from the eligible list of fire inspectors. The announcements had stated that there were six vacancies to which women would be appointed, and inasmuch as the Fire Commissioner was employing three women as temporary fire inspectors, the Civil Service Commission certified the names of both men and women. When the appointments were made only men were appointed. This action was followed by a protest from two of the women whose rank had entitled them to appointment. It seemed to the Association and to the Auxiliary that it was an occasion for us to give at least our moral support to the protest and accordingly a letter was sent to the leading papers, outlining the facts of the case and protesting against the action of the commissioner.

Nothing came of the incident immediately, but a few weeks later one of the disappointed candidates applied to a supreme court justice for a writ of mandamus to compel the Municipal Civil Service Commission to consolidate the lists of men and women certified for appointment as inspectors in the bureau of fire prevention. This was intended as a test case to decide for all time the right of the Civil Service Commission to advertise an examination as being open to both men and women, requiring the same preparation, the same duties, the same salary for both sexes, and then to divide the results into two lists, thus enabling the appointing officer to pass over either list in its entirety if he sees fit to do so. The judge refused to issue the writ, deciding that the matter was within the discretion of the Commission, thus upholding Commissioner Johnson and the Civil Service Commission. The decision seems to have been clearly in

accordance with the Municipal Civil Service rules, and may lead to an agitation to change the rule.

The Auxiliary records with regret the resignation of Miss Disbrow as Secretary. Miss Disbrow has ably carried on the work of the Auxiliary for the past six years. The pamphlet on "American Government" is the result of her work, and also the third edition of the "Bibliography of Civil Service Reform and Related Subjects."

The membership of the Auxiliary has been well maintained and we look forward to a year of steady and sustained effort to advance the cause of good government.

**Mr. Henry W. Sprague submitted the report from the Civil Service Reform Association of Buffalo:**

I have no written report from the Buffalo Association this year. What has happened has not seemed sufficient to have rendered it necessary to make any extended comment. Matters have gone along there during the last year much as during the year before. There have been no great changes. There has been no backward step; there has been no particular forward step in the activities either of our Association or of the Women's Civil Service Reform Association of Buffalo.

The city commission has been going on with its work; exactly how efficiently we haven't been able quite to judge. It certifies the rolls and conducts these examinations.

The commission consists of seven members; they are unpaid, and it is certain that they do, for the salaries they get, a very large amount of work.

The officers of the Association have been active in getting the co-operation of the Board of Commerce in Buffalo, getting them interested; and they have watched with care everything that has been going on in the state and city commissions and commending and assisting wherever they could.

I had last Saturday a rather interesting time, which I would like to tell you about—it will only take a moment.

They had had a police examination of about 600 candidates for the police department. That is a long and arduous task for these commissioners, as you can imagine.

They are not experienced much in such matters, except the secretary, and they all spent a great deal of time before that examination was over. Well, they had reached the result, and of the 600 they had about 340 successful candidates. Feeling rather elated over what had happened, the commissioners concluded that they would have a sort of ceremony, ending with the announcement of the standings of the men. Therefore they invited them all to the council chamber last Saturday afternoon. The superintendent of police was there and the police commissioners of the city, and they asked me in to say something to the men.

First we all went in front of the city hall and were photographed. Then addresses were made by the superintendent of police, by the chairman of the city commission, and I said a few words; and to a man who has been in the cause as long as I have it was a very inspiring and happy hour. Everybody seemed—at the time at least—to be the most ardent and fervid civil service reformers—everybody in the room. It was a good chance to say to that body of men gathered there, who had been successful, what the merit system meant, and how they had succeeded without regard to their creed, nationality or politics, but simply on their merits as the best men in the city who had applied to fill the job. I think they were all impressed, and I think that that occasion and occasions like that are very profitable in furthering the interest in the merit system among the people generally.

One curious question has arisen there and the police authorities are quite perplexed over it. We have a very large Italian and Polish population, and the police authorities—the superintendent and the commission—feel that they should be represented on the police force, because they are entitled to it by reason of being such a large percentage of the citizenship of the city, and because it would help the morale of the Italians and Poles if they felt that some of their own people were on the force. But the difficulty is that these citizens are all under-sized; they do not come up to the five-foot eight-inch limit which the police authorities require. If they reduce the height in order that these men may come in, their pride in their great big strapping Irish fellows will be lost.

because then the little Irishman can come in just as well as the little Poles and Italians. That is one of the problems they are wrestling with in Buffalo at the present time.

I will just conclude what I have to say by remarking that as I left the hall I had almost reached the conclusion that I was the only man present—including the applicants, the civil service commissions, the chief of police and the police commissioners—who was not an Irishman.

**General William A. Aiken submitted the report from the Civil Service Reform Association of Connecticut:**

Connecticut Civil Service Reformers are in the position of that servant in the parable who had a talent placed in his hands; we have a State Civil Service law and it is up to us.

Our long-desired talent has finally been entrusted to us and we can't wrap it in a napkin—though it took many napkins at many annual dinners to wipe away the difference of the old Nutmeg State and get through a civil service law—so now we've got to develop it and make the ten talent mark hustle to keep out from under foot.

Moreover we have no refuge in abuse of the personnel of the commission. It was not chosen either by a hostile governor or from the ranks of the professional politicians. While we are on this point we want to digress a moment and discuss that phrase. The professional politician likes to have us call him a "*Practical Politician*," because the natural inference is that any one meddling with politics from any other viewpoint is "*Impractical*." Is it not about time to change the phrase and call them "practising" instead of "practical?" Heaven knows that any practising physician who aroused as great antagonism to his practices as the average practising politician does, would never be described by as graceful a term as the word "practical!" That any practising lawyer who was caught robbing his clients as some practising politicians have been caught robbing their constituents would never read in the news columns that he was a practical lawyer. That any practising dentist who paved the holes in our teeth with as little scientific knowledge as the holes in the



streets are paved would never find the tongues that jolt over his rough work calling him "practical."

Why then should we permit so bold a fraud on the public as to sanction by our own use this implication of practicality in a mere professional politician.

But to return to our Connecticut Commission, it is made up of two practising civil service reformers and of one real man, a retired business man.

The law was given us by unanimous legislative action. In the senate the Democratic leader and the Republican leader both advocated it; in the house the Republican leader on the last day and hour and almost at the last minute, presented it to a body so eager for adjournment that there was none of the opposition we had confidently expected.

Our work is well begun. May it never find an ending!

City-wise we are hesitating. Waterbury voted on the adoption of our optional civil service law at its city election and failed. The old game was played by the practising politicians there. They pretended grave doubts as to whether it would not be in conflict with some of their charter provisions and many of the people listened. It is credibly reported that they won't listen next time.

In New Haven (our only city under an operative civil service law) everybody is satisfied that we have an honest and an industrious civil service commission, doing its work thoroughly and conscientiously.

**Hon. Charles J. Bonaparte submitted the report of the Civil Service Reform Association of Maryland:**

There isn't a great deal of report from this Association, and what there is is not exactly in the tone of the report that we had from Connecticut. We haven't found it necessary to hold any of the gatherings such as were described by our friend from Buffalo, because there has been no occasion when we could summon together any considerable number of persons to rejoice over the notable progress in the merit system in our part of the world.

At the last annual meeting of our Association it illustrated the workings of the merit system by retiring its

president, who had occupied that position until he had probably reached that condition which is supposed by opponents of the merit system is the natural result of civil service reform—that is to say, a state of senile incompetency. He was replaced by a gentleman who is a very old devoted civil service reformer and has been in the work from the beginning and is in all respects admirably qualified to succeed the gentleman removed—except in one, that he is still older. At the same time, we acted in that instance on the principle of promotion which is agitated by the League, making the former chairman of our executive committee the president of the Association. We had to choose a new chairman of our executive committee, and we chose a gentleman who had great enthusiasm for the cause of the reform.

We haven't had very much to do in our local work. Things have been—as far as the federal service is concerned, in a state of expectancy. With one exception, all the Republican officials are serving out their terms. And the one exception is not an exception to that statement, because the postmaster in Baltimore had served out his term and was in fact kept in the office for several months later, owing to the difficulty of the Democratic politicians in agreeing upon his successor. They didn't agree upon a successor, finally, and one was appointed by the President who was generally supposed not to be particularly satisfactory to some of the political leaders.

The former postmaster had been a thorough-going civil service reformer. He told me that during his entire term of office—and he had been there some months over eight years—he had never in any single case found the slightest reason to select a different person from the one certified as highest on the list. That is to say that in making (if I remember the figures right) about 1,200 appointments, there being in each instance, of course, three persons certified to him, he had in every case appointed the one at the head of the list. I think this is rather interesting testimony to the fact that competitive examinations do in an immense proportion of cases give you the most promising candidate as best entitled to the position to be filled. That they do not do so uni-

versally is, of course, conceded by everybody. But the proportion of cases in which this does not happen is after all so small that it may be regarded as negligible.

The new postmaster doesn't take a great deal of civil service in his, and has never been particularly notable for affiliation with reform in any shape. He had, in fact, so far as I am able to say, no very conspicuous qualification for the office, except the one that some of the very worst men in the state didn't want him appointed—which I, myself, personally think was a rather valuable qualification. He so far hasn't done anything very monstrous or wicked, so far as we have been able to ascertain, and in fact from the civil service standpoint there isn't very much to be said about him.

Later in the year our Association joined with the League in making protest against the forms of iniquity that were detailed in the report of the Council. We had to put a little damper—a little friendly damper—on the enthusiasm of the new chairman of the executive committee, because he had a burning desire to write to President Wilson when anything was wrong. He had known the President at college, if I am not mistaken, and he was very much surprised that the results were not very satisfactory. We did what we could, and it amounted to, I suppose, nothing; but nevertheless it was done.

The outlook in our part of the world is exceedingly gray—a gray deepening toward black, as far as the federal service is concerned. It is possible that there may be a more favorable outcome than seems to be foreshadowed at the present moment, but while that is possible, I am obliged to say it doesn't seem to me very probable.

There was at one time very good reason to believe that there would be a break between the Administration and the local organization in Maryland—much like what there has been, or is generally supposed to have been, between the Administration and Tammany. In fact, a candidate for the United States Senate announced himself—according to his statement—at the request of the President, in opposition to the candidate of the state ring. But I am sorry to say that when there seemed to be difficulties and delays in getting through the currency legislation,

and when the vote of the present Senator became gradually more and more valuable, the supposed candidate of the Administration announced, after an interview with the President, that he had decided that his private affairs made it advisable for him not to run. And that coincidence has rather, so to speak, cast a gloom over reformers in Maryland.

However, it is too early for us to say anything very definite as to either the course of the Administration or the outlook for the merit system in the Federal offices in our part of the world; because up to the present time, owing to their being in a state of equilibrium from the opposition of the different factions and the different political leaders, nothing has been done towards filling most of them. In fact, it seems exceedingly probable that the present incumbents will be allowed to serve out their terms.

There is a rather curious situation there, which I think ought to be called to the attention of the League. The collector of internal revenue is the chairman of the Republican State Central Committee. He was appointed by Mr. Taft. He had been chairman of the Republican State Central Committee before, for a good while, and he was appointed collector of internal revenue by Mr. Taft to succeed our Republican governor when he resigned his office in order to run for the governorship. It was generally understood that this gentleman retained the chairmanship of the Republican State Central Committee at the request of Mr. Taft himself. Whether that is true or not, however, I am not able to say, but that is what was generally reported at the time.

Now, our marshal, the United States marshal, is the chairman of the Republican City Committee. He was a man who was appointed against very strenuous protest at the time on account of charges affecting his moral character, his personal moral character.

Those two men retain their position under a Democratic administration. They are engaged in the work of running the affairs of a hostile party. And it doesn't seem to occur to anybody connected with the Adminis-

tration, or anyone who is opposed to civil service reform, that there is an inconsistency between that condition of affairs and the statement that we so often hear that adherents of one party cannot faithfully serve another party when it is in power.

I personally think that both of those gentlemen ought to be removed immediately. I think there is no doubt that it is improper that men should occupy offices such as they hold and be chairmen of political committees of another party. That it happens to be the party not in power doesn't make any difference, of course. But it is a curious fact, inasmuch as it does not suit at the present time the Democratic politicians to make vacancies in these offices, they allow them to be filled by their avowed and active political opponents, who are actually engaged in the work of running the Republican campaign, without apparently seeing anything incongruous or inconsistent with the best interests of the government.

I don't know, of course, whether when those offices are filled they will be filled with anybody better than the present incumbents; and as far as the collector of internal revenue is concerned, I ought perhaps to say that he is, to the best of my belief, an honest, efficient and faithful public officer. But he is, nevertheless, an avowed and active politician and the head of the Republican organization—or what is left of it—in the state of Maryland.

The prospects for doing anything locally as to the state and city are about as bad as they very well could be. I think that we have the eminent satisfaction of knowing they could not be much worse, so they must improve.

There is one feature about the matter and that is that undoubtedly there is a great deal more reform sentiment than there used to be and that the public does understand better what reform in government is and does appreciate much better its necessity than it did in former years. And possibly before it is time to retire all of us under a superannuation clause we may find that a public opinion has been developed by our labors (even in such a part of the world as that which I come from) to a point which will enable it to be effective for good.

**Mr. Arthur H. Brooks submitted the report from the Civil Service Association of Massachusetts:**

As usual the work of the Massachusetts Association has been chiefly over legislative matters and the striking feature of its experience during the last year has been the number of bills introduced in the interest of some individual or group of persons for the purpose of extending the civil service law and rules to the positions which they occupy. Such petitioners have seen the restrictions upon the power of removal over classified persons made greater year by year until now an appeal to the nearest district or police court is available in cases of discharge. They also realize that according to the present practice, the classification of their positions will "cover them in." What more potent reasons could there be for a widespread desire on the part of officeholders for more extensive classifications. The Legislature has looked with alarm upon the increasing tendency to introduce bills to accomplish this purpose, for it feels that the passage of such bills will result chiefly in giving present officeholders security in their positions, from which it will be difficult to remove them.

Nevertheless, during the last session positions in the offices of the collector of taxes and the city treasurer in Fall River have been classified; so, too, have the collecting and the treasury departments and the first assistant assessor of the city of Boston. In Chelsea, by referendum vote, the fire alarm superintendents, the wire inspectors, and certain inferior officers were classified.

On the other hand the legislature refused to classify the country service and also the following departments and positions—the penal institutions departments of Boston, the Chelsea water commissioner, stationary firemen, engineers, helpers, and oilers in state and county institutions, fire chiefs, and the heads of municipal departments in Cambridge.

Against the opposition of the Association a general law was passed authorizing the promotion of call firemen to permanent fire departments without examination where such call firemen are under 45 years of age, and have served continuously for at least five years, provided they

are certified as physically fit for promotion by the city or town physician. This law contained a referendum provision and up to the present time it has been submitted only to the city of Haverhill, which accepted the act by a vote of 4 to 1.

We were again successful in defeating the attempts of the Spanish war veterans to obtain preferential legislation but it took a veto to do it. The bill which they pressed most strenuously provided for an arbitrary addition of 5 per cent. to the mark obtained at an examination by any Spanish war veteran.

This year the Association fears the passage of such a bill, or a worse one, for the Governor-Elect has not expressed himself as opposed to the bill and has given some persons reason to believe that he would sign it. Of course our Association is hopeful of being able to show the Governor how demoralizing the passage of such a bill would be, and to obtain his needed assistance to maintain the principle of the merit system.

The Association wishes again this year to express gratitude for the valuable assistance that it has constantly received from the Women's Auxiliary, the importance of whose work cannot be exaggerated.

**Mr. Samuel H. Ordway submitted the report from the Civil Service Reform Association of New York:**

Upon taking office on January 1, Governor Sulzer made a clean sweep of the Dix Civil Service Commission and named as new members Mr. Jacob Neu, Dr. Meyer Wolff and Mr. James A. Lavery. None of the new members had ever been identified with civil service matters and all had been active in politics. The Commission has, however, been unusually diligent in the number of meetings which it has held and in the time given by individual members to the numerous details involved in the administration of the law. While no wholesale granting of exemptions of positions has followed since January 1, yet the Commission on a number of matters of importance has shown an attitude of extreme laxity. One of the grounds for criticism is that the so-called "special exception" clause of the law has been very liberally re-

sorted to. This is the clause which permits the Commission to waive the requirement of competition for a particular position in the competitive class where the position is one calling for "peculiar and exceptional qualifications of a scientific, technical or educational character" in which the person to be appointed is one of "high and recognized attainments" and where competition is shown to be impracticable as a means of obtaining such an appointee. The present Commission in less than four months allowed 11 appointments under this provision, as compared with its application by the New York City Commission in only 4 cases in all of last year in a service many times larger than under the State Commission. In one case the "person of high and recognized attainments" in "qualifications of a scientific, technical or educational character" was a clerk in the Surrogate's office and another had been a meat inspector in New York City.

Two important extensions of the civil service rules, one to cover the position of probation officer in all counties of the state, and the other affecting all positions in tuberculosis hospitals, have been approved by the Commission. These two extensions mark real advances in the state and both were urged upon the Commission by the New York Association. The Commission's action on the classification of positions in the highway department, office of the state fire marshal and prison department is also greatly to its credit. In the first department the Commission refused to grant the request of Commissioner Carlisle for the exemption of the important position of division engineer and ordered an open competitive examination for this position. In taking this stand the Commission went further than either the Hughes or Dix Commissions, as every appointment of division engineer since 1909, when the positions were established, had been without examination through a special exception clause of the law. All the new positions in this great department, including 9 superintendents of construction, 9 superintendents of maintenance and repairs and a large number of inspectors of construction, have been classified as competitive.



In the prison department the Commission denied the application of the superintendent of prisons for the transfer from the competitive to the exempt class of some 50 positions, including 35 foremen of industry, while 5 inspectorships in the state fire marshal's office have been placed in the competitive class.

The action of the Commission on matters affecting the labor department and the state hospital commission has not redounded to the credit of the State Commission. In July and August prior to the impeachment of Governor Sulzer the State Commission acquiesced in the injection of politics in the hospital service by placing 4 positions under the state hospital commission in the exempt class, including the secretary to the purchasing committee and the lay deputy in charge of the bureau of deportation. A saloon keeper was appointed to the former position, whose duties are the supervision of the expenditure of appropriations for supplies for the state hospitals. Mr. Louis A. Sarecky, who was chief witness for the defense during the impeachment proceedings, was given the position of lay deputy at \$4,000. As indicating the lack of any need for this position, it is a fact that at the time of Sarecky's appointment the chief medical inspector, who had been in charge of the bureau of deportation, was transferred from that position to the position of first assistant physician at the Utica State Hospital. Prior to these changes T. E. McGarr was removed as secretary to the hospital commission, a position which he had held since 1889, and was succeeded by one Hanify, who had been a plumber in New York City. To make a place for McGarr the position of confidential accountant in the Hudson River State Hospital was exempted, the state hospital commission recommending the appointment of its removed secretary. The New York Association has called the attention of Governor Glynn to this matter in the hope that he will take action looking to a correction of these conditions and the prevention of a recurrence of such acts either by the state hospital commission or the State Civil Service Commission. No action has, however, been taken by the Governor.

Over six months ago Commissioner Williams re-

requested the exemption of 28 positions in the recently reorganized labor department. A hearing on this request, which constituted probably the most vicious spoils raid on the state service since Comptroller Sohmer secured the exemption of 49 places in 1910, was held by the Commission. At this hearing representatives of a number of organizations interested in a non-partisan administration of the department joined with the New York Association in opposition to the proposed exemptions. No action was taken by the Civil Service Commission following the resignation of Commissioner Williams. After the confirmation by the Senate of James M. Lynch as head of the department, the Civil Service Commission granted the exemption of several important positions, including the chief investigator of the bureau of immigration and industry; denied others, including five inspectorships of a scientific character, and carried on its calendar for further consideration the proposed exemption of ten investigators in the field service. Whether or not the exemptions already granted become law rests entirely with Governor Glynn, who has been requested by the New York Association to grant a hearing on the changes made in the classification. Although this request was made over three weeks ago, no reply has been received from the Governor and no date for a hearing has been set.

The Walker bill, providing that no competitive employee shall be removed until after a trial and allowing the dismissed employee to review his case in the courts by a writ of certiorari, passed the legislature on the last day of the session but, thanks to Governor Sulzer, was vetoed. The Fitzgerald-Patrie bill became law. This act gives the state civil service commissioners overlapping terms of six years each and increases their salaries to \$5,000 each. The law also makes mandatory the exemption of the secretaries of civil service commissions throughout the state and contains no proper provision for the removal of the members of the Commission. For these reasons the bill did not receive the approval of our Association. The Cullen-Levy bill, known as the home rule act, transfers a great many of the legislative powers

from the state legislature to the New York City Board of Aldermen. The result of the passage of this bill will mean that the New York Association will have to watch both the legislature at Albany and the board of aldermen in New York City.

Since the last meeting of this League James Creelman, who had served with distinction as president of the New York City Commission for approximately a year and a half, retired from office. He was succeeded by Mr. Frank Gallagher, who had been for many years an expert per diem examiner in the Commission. The Commission, whose other members are Richard Welling and Alexander Keogh, has continued to uphold the merit system. While criticised last year by this Association for certifying candidates for the police department who had lied about arrests on their application blanks, we are glad to report this year that there has been a marked improvement in the Commission's conduct of the work of qualifying candidates for this department. The Commission still lacks sufficient appropriation properly to do its work and monitors and others are assigned to the bureau of investigation whose qualifications have not been sufficiently tested. The Commission has set a high standard in dealing with candidates who are lacking in an essential element of character, namely, the ability to tell the truth, and the present attitude of the Commission should serve as a guarantee that the character of men appointed to the police force will be of high quality.

The Commission, in an attempt to eliminate from examinations requiring technical knowledge, candidates who have absolutely no experience to qualify them for positions, has devised an experience examination. Candidates are first rated on their experience records, and failure to qualify in this test means that the candidates will be barred from the mental examination. This system is newly instituted, but it will undoubtedly result in a saving of money, as the number of candidates eligible for the mental tests has greatly decreased. In the case of one examination only 22% of those who originally filed applications were admitted to the mental tests after the medical, experience and practical examinations had

been held. We are also informed by the Commission that during the last year 158% more candidates were rated than the preceding year. These improvements in examination methods will undoubtedly result in decreasing the number of temporary employees who secure appointments pending the establishment of eligible lists. There are other improvements both in the scope and character of examinations and in examination methods which should be made by the Commission to facilitate the work of the examining division.

Our report from New York would not be complete without a reference to the late Mayor Gaynor. In spite of one or two exceptional instances where politics was injected into the service in a peculiarly vicious fashion, under him the administration of the civil service law in New York City was probably better administered than ever before. One of the greatest gains made in his administration was his Executive order requiring that appointments shall be made in numerical order from an eligible list rather than from the first three, as the law allows. No deviation from this rule has been permitted, except for reasons submitted to him and approved by him in writing. The obvious result of this order has been greatly to decrease political influence so far as original appointments are concerned. Since Mayor Gaynor's death no disorganization has taken place, as Mayor Kline has endeavored to carry out the policies of his predecessor.

On January 1 the present administration will come to an end, and Mayor Mitchel takes office pledged to discountenance "the weakening of the merit system by special legislation, appointment of weak commissioners, or manipulation of the rules or classification."

## SECOND SESSION

Young Men's Christian Association Hall,

Thursday afternoon, December 11.

AT 3:00 p. m. the League reconvened at the Young Men's Christian Association Hall. Mr. Richard Henry Dana presided. Miss Marian C. Nichols, secre-

tary of the Massachusetts Women's Auxiliary, gave a lecture on the merit system, illustrated with lantern and moving pictures.

Reports from Associations comprising the League were presented as follows:

**Mr. Samuel Dauchy submitted the report from the Civil Service Reform Associations of Chicago and Illinois:**

The report of the Illinois Association last year closed with the forecast: "The next year will be one of severe test for the law because of the recent political turnover through which the Democratic party, for the first time since 1896, has displaced the Republican party in control of the state government. But we believe it will stand the test."

The testing process is on; and its effect is felt in every jurisdiction with which our Associations have to do; but particularly in the state service is the pressure for the spoils of office most insistent. Here, constitutional officers charged with upholding and enforcing statutory enactments and specifically pledged, by personal and by party declarations, to loyal support and constructive administration of the civil service laws, have joined in a course of action to dislodge, discredit and, if possible, completely overthrow the present state merit system, as provided for in the 1911 comprehensive statute, and even the earlier charities civil service act. Attorney General Lucey and State Auditor Brady recently suffered defeat in the Cook County circuit court in a mandamus suit to compel reinstatement of an employe of the latter's office, as ordered by the state civil service commission. In this case the Auditor, through the Attorney General, set up the alleged unconstitutionality of the state civil service act of 1911 as a defense. The court upheld the law; and an appeal to the supreme court has been taken.

The criticisms of the press and public directed at the course of the attorney general were so pointed and hostile that he has since sought to justify his position by a public statement protesting his fealty to merit principles and branding the present law as iniquitous and not well founded.

However, since the law has already once stood the test of an attack on its constitutionality, and as the present attack is a quibbling over technicalities, it is hoped the high court can be led to see the incongruity and insincerity of the attorney general's attitude.

In February, last, the state supreme court held the comprehensive Cook County civil service act of 1911 invalid because of an informality in its passage. This put the major portion of the county service back upon a spoils basis, the former county civil service act covering only the charities service. The Legislature, which was in session when the decision was handed down, was pressed to re-enact this statute; but political jealousies over the "blanket" clause prevented action.

The Associations had prepared drafts for bills to extend the merit system to the Chicago municipal courts and the sanitary district; and to remove certain exemptions from the state act; but none of them got past both houses. A bill for repealing the state merit law, introduced by a spoilsman, was sent to early and decisive defeat in the House. But the insistence of the job-hungry was so great that some legislators with previous excellent records on civil service succumbed to the pressure; and, with tripartisan organization of the legislature, it was impossible to get through any of the measures we had proposed. Minor amendments to the state and parks acts were all that became law. The governor vetoed an inimical veteran-preference amendment.

Following the local legislative campaign, the Associations co-operated with the National League in protests against the subversive "rider" in the income-tax provision of the tariff bill.

These Associations have been observing the progress of the state administration with reference to civil service in the charitable institutions; and we have on several occasions offered counsel or protest. An investigator, ostensibly representing the governor, has made the rounds of the penal and charitable institutions and has brought censure for the administration and disquiet to the service by his operations. Charges of cruelty and unbecoming conduct have been preferred against officials and numer-

ous resignations have been accepted. Much of the pressure for jobs has doubtless been due to the numerous opinions of the attorney general limiting the scope and questioning the validity of the state merit law. While, of course, there is no inclination on the part of these Associations to hinder the progress of investigations looking to an improvement in efficiency or to humanitarian reforms, these, however, should not be permitted to cloak operations to create vacancies for purely political, spoils uses.

The main progress of the year in the Illinois jurisdictions has been in the line of constructive administration, especially along efficiency lines.

In the Chicago city service a most important result of the work of the efficiency division is the standardization of salaries. Rigid rules were recommended and have been adopted, controlling uniformity of salaries in the annual budget and avoiding former "log-rolling" tactics. The Efficiency Division has been aiding various city departments in investigations of group efficiency, methods, accounting, records and reports. Among these activities may be mentioned an investigation of the bureau of streets, leading to a systematic and uniform method for cleaning streets and alleys and definitely tabulating the amount of work; assisting the city waste commission in collection of data; assisting in carrying into effect the reorganization of the police department, planning reduction in number of police precincts and to make provision for new and modern police stations; co-operation with fire-prevention and public safety bureaus in a study of conflicting jurisdiction and overlapping authority between building and health departments; inspection of fire stations and study for reorganization thereof; investigations of the engineering and janitor services for the board of education; and investigations for the city collector and for the department of public works in the bureau of water. For the Civil Service Commission, the efficiency division has investigated and passed upon 1545 reports of departments regarding the status of employes in the classified service, and in addition has assisted in the preparation of examinations in the engineering, medi-

cal, inspection, supervising, police and fire services of the city. During the year department heads and others have co-operated with the efficiency division more than ever before. It has become a clearing house for civil service complaints.

In the parks, the state and the county services, sufficient time has elapsed for much of the work to take a definite organized form.

As to the operation of the removal sections in the Illinois systems, as "a means of getting rid of inefficient employees without the necessity of proving some specific act of misconduct or insubordination," upon which we were asked to touch in this report, we have to say, briefly, that the probationary period offers a sufficient safe-guard against "square pegs in round holes." After the probationary period, standard efficiency markings, the system of merits and de-merits, provide the adequate remedy. To provide a more facile system of removals, giving too great latitude for the exercise of the discretionary powers of the department head, is to invite all the evils of spoils removals, held in check alone by the necessity of merit appointments.

The Civil Service Round Table, mentioned in our previous report, is furnishing an excellent means for interchange of ideas and adjustment of plans. At present, a committee is charged with the preparation of uniform standards for classifications, grades and terminology, to be recommended for the adoption of all local civil service jurisdictions.

Another encouraging development is the interest the employees themselves are evincing in the advancement of civil service principles. The several employees organizations are manifesting increased activity and a federation of the various bodies is being promoted to further the merit idea. "Civil Service News," a merit system weekly intended primarily for the civil service employees, is published at Chicago. It has a paid circulation of six thousand, having doubled in the last year. It contains information about examinations, an inquiries and complaints department, editorials and news articles concerning local and national civil service matters. This publication is



edited and published by our former secretary, Herbert E. Fleming, a staunch friend of real and ascertained merit in the public service, who is endeavoring to raise earnest champions of the merit system among the men and women who have been drawn into the public service by the civil service laws and rules. When the men in the service once are thoroughly imbued with the thought that they are to place their reliance on efficiency and loyalty to the public's interests, we shall have won a decisive battle against the spoils system. The economic motive is a controlling one: and when employees serve the public as their master, the power of the politician and boss is broken and the tide of battle is turned. Appointing officers have long since grown tired of the annoyances, worries, enmities and defeats incident to "taking care of the friends of the administration." With the rank and file placing reliance on their rights as civil service appointees, the opposition is reduced to those politicians who can survive by spoils alone.

The Illinois and the Chicago Associations are about to incorporate. The latter has already seen thirty-one years of active service and the former has been in the field eleven years. The plans contemplate securing cooperation of women. Our purpose is that women shall form an integral part of our membership and our executive committees; and where appropriate shall be selected as officers of our Associations. As they now have the vote in Illinois, they should, in our judgment, be charged with corresponding responsibilities in enacting and enforcing civil service laws. And the indications are unmistakable that they will hold themselves answerable to this call of the merit system.

A broad educational campaign, in which the women in other states have proven effective, is one of the things outlined. This is intended to include imparting information to children in the public schools, the giving of prizes for the best essays and orations on civil service, and its presentation before various organizations, in an effort to get general public comprehension of and support for our work. We believe that in spite of the present temporary obstacles there is to be no turning back in Illinois and

that extension of the principle will become general and applicable to all public services of consequence in the state. The people of Illinois want the merit system. They have it in part. We believe they will insist on having it complete.

**Mr. Albert Smith Faught submitted the report from the Civil Service Reform Association of Pennsylvania:**

The report from our Association of a year ago attempted to present the story of a year of rigid enforcement in Philadelphia of a well drawn civil service law. At the end of its first year, the law was highly unpopular with persons engaged in politics and it is still as unpopular as ever with them. In fact it is probably unpopular as well with the general public, but the conviction that the law is right and proper is unquestionably becoming fixed not only in the mind of the average citizen but even in that of the ordinary political worker, who although he violently protests against its enforcement so far as he himself is concerned, will admit when pressed for an answer that the principle of it is probably right and will shift his ground from an attack upon the civil service regulations generally to an attack upon a particular examination which possibly he or some of his friends failed to pass, or at most to an attack upon the rigidity of the present enforcement. In fact the law has come to be accepted with a degree of philosophy that at one time the most hopeful of us considered impossible. The violence of the protest during the first six months of the new reform administration it seemed would never tame down.

Unfortunately for the immediate future of civil service reform in Philadelphia, the Blankenburg administration failed to secure the support of the voters at the recent municipal election. The reform of our civil service has been the cardinal virtue of the new administration and it was considered one of the important issues of the last campaign. The administration was frequently urged to reverse its stand and to throw the full weight of its official influence in favor of the fusion forces. It refused to do so, however, and two days before the election

gave orders that all city officeholders, particularly policemen and firemen, must refrain from political activity and for at least two elections in Philadelphia's history, city officeholders have not been active partisans.

It is true that the city administration has not built up an organization at its back and to the men with the smoke of political battle in their eyes, this was the overshadowing cause of defeat. There is serious doubt as to whether a contrary policy would not have alienated more voters than it could possibly have secured to the administration. At least there can be no doubt that a precedent has been established which it is to be hoped will live longer than any particular city administration.

The civil service commission during the past year has had a struggle with councils to secure proper appropriations. The average member is bitterly against it regardless of party affiliation. The anti-administration men, notwithstanding the fact that the commission's activity and integrity is the chief protection of the followers of their organization, who secured city positions in the past, and also notwithstanding the fact that the same activity and integrity is the direct obstacle in the way of the establishment of an organization back of the administration, take great delight in voting down appropriations for the commission's use. Several times, it looked as though the commission would be deprived of the necessary funds for the conduct of its examinations and the proper management of its office. It has thus far, however, succeeded after frequent bitter contests, in getting what it required, its best card being the point of view of some of the abler councilmanic leaders of the organization, that its work was their greatest asset. But left to their own inclinations, a councilmanic appropriation for the civil service commission could hardly muster two or three votes in a chamber of eighty-four members. Notwithstanding their difficulties, the commission has performed its duties with a large degree of thoroughness. Its examinations have been prepared with care and its examiners, wherever possible, have been selected from the men best qualified in the city or elsewhere for the conduct of the particular examination. The standard at-

tack upon their tests is the accusation that they are academic. We presume that this method of attack is not confined to Philadelphia alone. That there may be some truth in these charges is possible, but the best answer so far as the Philadelphia commission is concerned, lies in the following extract from the report of the commission for 1912:

One of the chief advances made by the commission this year has been establishing actual tests to determine the efficiency of skilled laborers and others in whom manual dexterity as well as mental training is indispensable. For instance, applicants for the position of caulker, paver and rammer were required to do the actual work of those positions under the direction of persons whose vocation was that of planning, inspecting and approving such operations, and who co-operated with the regular examiners of the commission in determining the relative ratings of the applicants. This work was done in the yards courteously designated by the department of public works for the use of the commission. In like manner, and under similar expert and practical directions, applicants for the position of carpenter, patternmaker, plumber and printer were examined in the shops of the Philadelphia Trades School by being required to perform the very work which they would have to do if employed by the city. Persons who desired places on eligible lists for cook and baker were tested in actual cooking and baking in the kitchen of the Philadelphia General Hospital. Applicants whose aim was to serve in the city's institutions, as tailor, had the opportunity to demonstrate their skill in real tailoring to competent examiners. In like manner the work of draftsman, and tracer, and that of the board of recreation positions, including principal, teacher, assistant teacher and swimming teacher was actually done, as the means of determining the relative merits of the applicants for those positions.

The principal activity of the Association during the

past year has been in its efforts to secure the passage of new civil service legislation and a protection of legislation already upon the books from legislative attack. Pennsylvania is one of the few large states in the country which still has no state commission, its civil service legislation being confined to Philadelphia, Pittsburgh and Scranton, the three largest cities of the state. Our Association for many years has been endeavoring to secure the passage of a state civil service bill, but has never succeeded in getting its proposed measure through both houses. Some years ago, such a bill passed the Senate and this session, after considerable labor, a state civil service bill passed the House, by a bare majority. It was vigorously opposed, particularly by the Philadelphia delegation, who as they expressed it in their arguments against the bill, "knew the dangerous character of the creature, since they had been bitten." With the assistance of the Progressive element in the House, together with the Democrats who had inserted a state civil service plank in their platform, the bill was passed. It is doubtful, however, if some of those who voted for it would have done so, if they had not been confident that the Senate stood ready to remedy their indulgence. The bill was afterward referred to a committee in the Senate presided over by a powerful Philadelphia political leader who made particular request that the bill be assigned to his committee as he desired the glory of killing it. He remarked that he expected unanimous approval of his action from his constituency.

Other legislation submitted at the session of 1913 had its origin in the opposition of certain Philadelphia members of the House to the principles of civil service. One gentleman introduced a resolution to investigate the workings of the law in its application to Philadelphia with the proposal that the results of the investigation should be reported back to the session in order that the House might be advised as to the desirability of repealing the act altogether. The resolution passed the House unanimously, those members who favored civil service principles being of the opinion that an investigation properly conducted could not help but advance the cause of the

reform. The proposal was, however, held up in the Senate for several months, and was finally passed at the close of the session too late for the making of a report the same year, and a legislative commission was appointed with authority to sit during the interim preceding the session of 1915 in order that it might then be ready to report its findings. The commission as appointed is composed of three members of the Senate and two members of the House who are opposed to civil service reform, together with two other members of the House who have been identified with the movement for the reform in our civil service, one of these being the present counsel and secretary for the association. The commission met for organization immediately prior to the recent election, but has not since been called together. If it performs its duties properly the next legislature should have information before it that will lend strength to the effort of the Association to secure the extension of civil service reform to state and county offices.

Already we have opened our campaign for the passage of a state civil service bill in the legislature of 1915. A resolution introduced by a member of our own executive committee was recently adopted by the Washington Party State Committee and a state civil service bill will be one of the planks in the platform of that party, which represents the progressive movement in Pennsylvania. We hope to secure similar action by the other parties and this, together with an extensive campaign directed at individual candidates should enable us to make unexampled headway in preparing for legislation in the session of 1915.

The following reports from Auxiliaries and Associations were received, to be printed in the Proceedings:

**From the Women's Auxiliary of Maryland:**

The eleventh Annual Report of the Women's Auxiliary of the Maryland Civil Service Reform Association, comes at the end of a year of faithful service on the part of the organization, in a community without a state or municipal civil service law, doing its part in upholding and developing an interest in the continued need of loy-

alty to the principles of the merit system. In his address in Milwaukee, in 1912, the President of the National Civil Service Reform League, reminded the country of the change of federal administration, and the efforts that would assail the new President in the progress of recognition and enforcement of the merit system.

The Auxiliary secured the presence of President Eliot and began its winter's campaign of publicity by a meeting of men and women of the state and city. President Eliot emphasized the magnificent opportunity before the Democrats of the country, under its new President, urging them to stand and uphold him *their* leader, honestly dealing with the problems to come before them. There were present many of the more progressive members of the incoming party of Maryland who approved "to the better element to come out and do its duty in primaries," as the most direct method of securing efficiency in the public service.

The Auxiliary has held public meetings at churches and wherever an opening has been found, always with the one purpose of awakening public interest to the wrong and dangers involved in the abuse of trusts to advance personal interests.

In January the annual efforts of "the schools committee" to interest the public schools of Baltimore to give the children of grammar and high school age some knowledge of civics, defined as "good citizenship" was inaugurated. A joint conference of the schools committee, teachers, and two citizens, friends of the mayor and school board was held, the object being to interest teachers, in the methods, books and leaflets used by the schools of New Jersey and Illinois. At this time the school board had under consideration the publication of one of its former teachers, and present able editor of the city paper, some text book of civics for school use. Through a combined intelligent interest, and sympathy, knowing how great the need, a series of open letters to the press, requesting that civics be taught in the public schools, was prepared and published throughout the state. These were again reprinted and circulated broadcast by the Auxiliary, as well as being used as su-

for editorial comment by Honorable Charles J. Bonaparte at the request of the Auxiliary. With the opening of the present school year, a primer entitled "Capital City State and Nation" is now in use. The object of this book being to bring before the school children, future voters of the state, a realization of the fact that *their* city, state and nation is something which directly affects the welfare of *themselves* and every person who lives under it, and that the obligations and responsibilities of citizenship are among the most sacred which the school graduates have to meet. The other interests of the Maryland Auxiliary have been in assisting in the support of a civic worker among the Polish population of Baltimore. With the opening of the coming Legislature at Annapolis, the Auxiliary will co-operate as formerly in support of bills directly effecting good government.

**From the Civil Service Reform Association of Cincinnati:**

During the year 1913, the people of Cincinnati have become more and more interested in the meaning and result of civil service reform, through the continued enforcement of the Ohio law by the local Commission. Although Mayor Hunt and most of the officers having the power of appointment under him were loyal to the Commission and to the law, a majority of the members of Council and the rank and file of the workers of the party which had the credit of electing Mayor Hunt became more and more sullen and rebellious when they found that the ward workers and political heelers could not obtain employment and that politics had generally nothing to do with the appointments. This was not always the fact, because one or two of the appointing officers having the choice of the first three names on the eligible list sometimes selected a political friend, as the law allows. In this connection the suggestion is pertinent that where the power of removal is finally lodged in the appointing officer, it is possible that, not finding the name of a political friend among the first three on the eligible list and the name of a friend appearing further down on the list, the appointing officer may, after making the appointment from the first three names, presently dismiss that appointee for alleged incompetency or some other reason un-



justified and thus secure the certification to him of the name of his political friend, and the Commission, having had the reason for the discharge reported to it, has no further jurisdiction, though doubting the honesty of the discharge.

The amendment to the Ohio law which has recently taken effect contains a good provision for the prevention of such a violation of the law by the appointing officer, in the provision that wherever a civil service commission shall have reason to believe that any appointing officer has abused the power of removal in violation of the Act, it shall be the duty of the commission to make an investigation, and if it shall be found that there has been any violation of the intent or *spirit* of the Act, it shall make a report to the mayor or other chief appointing authority, who may forthwith remove the guilty officer, after he has had an opportunity to be heard publicly in his defense. This provision has not yet been tested, but it supplies a check which I think might prove sufficient, if the mayor was intent upon enforcing the law. There are doubts about the advisability of otherwise limiting the power of removal. I have read with much interest the good suggestions made at the Milwaukee meeting by Mr. Catherwood and Mr. Hale of Illinois, but the procedure suggested seems to me rather complicated. The distinction between an advisory board and an administrative one cannot always be kept in sight, and, on the whole, I believe that the old idea of checking the abuses at the entrance to the service is the better one. The Cincinnati Commission has, after careful consideration of the question, decided not to attempt, in the revision of its rules, any further restriction upon the power of removal, although it has been advised, through the Secretary of the League, who was aided by the learned chairman of the League's Law Committee, that under the Ohio law the Municipal Commission might adopt a rule governing removals. If the provision of the Ohio law before referred to, empowering the local commission to investigate the conduct of an officer who seems to have abused his right of removal, does not check such abuses, then at another time hereafter the Commission may find it necessary to

provide some means of preventing unlawful removals by its rules.

I have stepped aside from my story to touch upon this question because of the interest in the subject which was stimulated by those excellent papers which were read at the Milwaukee meeting.

During the late municipal campaign in Cincinnati, the mayoralty candidate on the local Tammany ticket and some of the campaign orators in the same cause charged the local Commission with violation of the law, and the local Commission thereupon called for an investigation at the hands of the State Commission, as is provided by the new Ohio statute. In order to remove that investigation from the campaign influences, it was deferred until after the election and was had in November at Cincinnati. No evidence was introduced even tending to support any of the charges and the State Commission has made a report fully exonerating the local Commission.

The term of one of the members expires on January 1, and his place will be filled by a follower of the local Tammany, who may be able to obstruct, but cannot prevent the enforcement of the law, so long as the other members of the Commission sit with him. One of those others, on national questions, has voted with the Democratic and the other with the Republican party, but those political differences have not, during two years, ever come to the surface during the deliberations of the Commission. With the enforcement of the new law and the anticipated opposition of the mayor and the other appointing officers, the new Commission will have its hands full, and it is not impossible that the mayor may undertake to remove the chairman of the Commission under the law which gives him that power, for inefficiency, neglect of duty, or malfeasance in office."

Finally, we are glad to be able to report from Ohio that under the new law, which, in obedience to the mandate of the recent amendment to the Constitution, covers the entire civil service of the state, its counties and cities, Governor Cox has appointed a State Commission which has entered upon its duties with an evident determination to vigorously enforce the law without fear or favor. In

this difficult work it has sought good advice and glad to say, is about to receive the aid of the State of the League in framing its rules. Too much credit said in recognition of the service to the cause of service reform which in the past was rendered by Goodwin and now is being rendered by Mr. Boardman the local authorities throughout the country were seeking to establish the merit system.

#### From the Civil Service Reform Association of Denver

The past year has been an eventful one for the merit system in Colorado.

The State Law, initiated by petition and carried by the direct vote of the people at the general election of November, 1912, was by the proclamation of the Governor declared to be effective on January 22, 1913. It formed an amendment to the law enacted by the Legislature in 1907, and extended the classified service with its exceptions to embrace every employee in all the departments and institutions of the state government, including the heads of all such departments and institutions, and officers and employees of the legislature. It abolished term appointments and all reference of appointments to the Senate for its approval. It provided for a commission of appropriation, thus making the Commission independent of the legislature. The new law is without doubt the most far-reaching of any yet enacted.

On the incoming of a new administration the Governor did not take the opportunity given by resignation of terms of appointing an entirely new Commission. The new Commissioners have been busy with their hands full in putting into effect the new law, which more than doubled the classified service, and in bringing to completion the work of the preceding Commission which had been suspended for two years for lack of funds.

It is interesting to note that notwithstanding considerable opposition in the General Assembly the merit legislation was enacted.

In February, 1913, at a special election, the voters of Denver adopted several amendments to the charter providing for the commission form of government.

As it was considered doubtful whether or not these amendments had continued and extended the classified service, a separate amendment to the charter, greatly improving its civil service provision, was prepared by a committee of this Association. This was defeated at a special election held in May. An effort, which promises to be successful, has since been made to extend the amendments to the charter previously adopted to every department of the city.

The Municipal Commission was also reorganized with Mr. Chamberlin as President, the only one of the original Commission who was reappointed. The new Commission has adopted an entirely new set of rules and done much work in organizing the larger service.

In Colorado Springs and Pueblo the merit system is in force in the fire and police departments and in the larger municipal offices.

It will be seen from the above record that the past year has been a most important one in the history of the merit system in Colorado. Without few exceptions every position in the state civil service, and in that of Denver, and a large number of the positions in the cities of Colorado Springs and Pueblo are now included in the classified service.

#### **From the Civil Service Reform Association of Indiana:**

Eighty per cent. of the people of Indiana believe in the merit system, yet so far this great majority has not been able to get that system enacted into law. This fact is due to the power of the party organization and is a tribute to their skill in baffling the desires of the majority. In past years many bills of this nature have been introduced into the legislature with no result. Such a bill, carefully prepared was introduced in both houses of the General Assembly of 1913, in the hope that the wave of progressive legislation which was sweeping over the country would carry this measure through; but the party organization of the dominant party in Indiana consists of one man and his assent being withheld the bill never got out of the committee.

The merit system seethes and boils in Indiana and

constantly comes to the surface as is shown by the large number of places where it is employed to a greater or less extent, and in nearly all of our state institutions it is claimed to be used. It is not the genuine system but it is only fair to say that politics is nearly excluded from these institutions. In the city of Indianapolis, not now governed by the present dominant party of the state but controlled by thoroughgoing political manipulators, these manipulators were so harried by applicants for the police and fire departments that they finally turned the applicants over to a voluntary commission to determine their fitness. In the same manner in many places of public employment applicants are tested to a greater or less extent, for instance the state library, the state board of accounts, the state board of charities, the board of health, and the state entomological department.

It does not seem that the enactment of a law can be much longer postponed. The adoption of similar laws by states near to Indiana is in a way an effective pressure to this end.

Turning to the federal service, when the appointment of a new postmaster for Indianapolis was under consideration the president of this Association in the following letter called the attention of the postmaster-general to the fact that there were in the postoffice men abundantly fit for promotion:

"Indianapolis, April 5, 1913.

"Dear Mr. Postmaster-General:

"For more than a generation the Postmaster of Indianapolis, so far as being postmaster is concerned, has been a joke. Old General McGinnis told me that when he was appointed all he was expected to do was the social act when people came in. A later postmaster on leaving the office told his successor that he could make himself a great deal of trouble by trying to run the office.

"President Wilson's administration is the first one that seems to hesitate about going out upon the street and picking up a man to be the head of this very large office and I, therefore, feel encouraged to say that there are men already in the office entirely competent for the office.

any one of whom would make a real postmaster which will not be true of any man selected from the outside.

"Chas. W. Byfield has been employed in the office more than 15 years and is now the head of the money-order department. He would make an admirable postmaster and the fitness of his appointment would powerfully impress the people of this city. He is a Democrat and I name him first because he is, in an all round sense best fitted.

"Mr. Arthur M. Potts, Assistant Superintendent of mails, is a very competent man. He is a Republican. He has been in the service a long time.

"I particularly mention these two names and an investigation would discover others. I have known Mr. Byfield many years and he is entirely straight. I knew his father also, who was a leading lawyer here and a friend of Thomas A. Hendricks.

"Very respectfully,

"LUCIUS B. SWIFT,

"Pres. Indiana Civil Service Reform Association."

Nevertheless a merchant tailor devoid of any kind of postal experience was appointed. As a protection to him, however, the assistant postmaster who was a republican was reduced, and thereupon left the service, and Mr. Byfield, mentioned in the above letter was put into his place. The office will be conducted efficiently by the assistant postmaster but the position of postmaster continues to be a sinecure.

There have been some cases under the present national administration of reducing Republicans and promoting Democrats to their places in Indiana. These higher places were filled with Republicans to such an extent as to be a prima facie indication that there had been some manipulation, and the present process of reducing Republicans and promoting Democrats is prima facie another manipulation. Neither manipulation is honorable. The remedy depends largely upon the President. A rule strictly enforced by him, that appointing officers in making appointments and promotions shall not hear politicians

and particularly senators and representatives, would lead to the operation of the service upon business principles.

**From the Civil Service Reform Association of New Jersey:**

To forestall any legislation that might in any way weaken the merit system in the State, the New Jersey Civil Service Reform Association, which for some time has not been as active as could be hoped, has reorganized, and will, we believe, become a power for good in the state. The proposed single-headed commission to replace the four members now composing the State Civil Service Commission and any other hostile legislation will be opposed by a committee of five, the chairman of which is State Senator Austen Colgate. The civil service law has been in operation for six years in the state and the progress which has been made in the application of the law to municipalities by popular vote has been remarkable. When the law was passed it became mandatory upon about 2,500 positions in the state service. Since that time it has been accepted by twelve municipalities and covers 14,000 employees. In the twelve municipalities where the law has been adopted a majority vote of 57.569 was polled. During the past year the city of Elizabeth voted to adopt the law by a majority of 1,556. With a live association, we hope to work for the extension of the law to other municipalities.

**From the Civil Service League of Wisconsin:**

I am requested by the State Civil Service League of Wisconsin to make a report of its work during the past year. This duty has heretofore been performed by our worthy chairman Mr. Butler, but owing to his absence, that duty has this day been assigned to the writer.

The annual meeting of the National Civil Service Reform League for the year 1912 was held in the city of Milwaukee and we express the hope that it will not be long before the National League holds another of its entertaining and instructive meetings within the borders of our State.

The decision in the case of Buell vs. Frear, 146 Wis. 291, decided May 2nd, 1911, sustaining as it did the con-

stitutionality of the Wisconsin civil service act, effectually eradicated the erroneous opinion of many state officials and especially that of the former secretary of state and attorney general that the law was invalid. This decision resulted in more efficient work in the public service; the administrative officer realizing as never before the improvement in the service and also the relief from importunities of politicians for a place in the public service. We are informed that the present attorney general and his deputy are now warm supporters of the law because of the high grade men holding positions in that department secured through competitive methods, formerly believed impracticable.

We regret however being obliged to report that the attitude of the last State legislature towards the merit system was anything but creditable. No legislation was enacted which strengthened the law. In fact, all of the legislation asked for by the State Civil Service League and the Wisconsin Civil Service Commission having for its object the strengthening of the law, was defeated. We believe that the time has come in Wisconsin when the law should be so amended as to permit all of the commissioners to devote more time to the administration of the law and when one of the commissioners at least should devote his entire time thereto. The nominal compensation of \$10.00 per day for not exceeding 100 days in a year should have been changed as requested to an annual salary commensurate with the importance and responsibility of the position.

The League also felt that the secretary of the commission, Hon. F. E. Doty, was paid a most inadequate salary and that it should be increased, and that the work of the commission should not be confined merely to the examination of applicants and certifying eligibles when required, but that it ought also be given the power if an eligible had been certified, to make an examination and report to the head of the department and to the Governor if necessary, as to the efficiency of the work done by the person so certified, and that the State would never have its public service placed upon a proper basis until not only were the positions filled solely for merit and fitness, but that



after they were filled, the persons so appointed should not be continued unless they proved efficient in the work they were assigned to do.

We believe also that the law should be amended so as to permit the commission to go outside of the state and hold examinations for positions of very high grade where it was not found practicable to fill such positions by citizens within the state of Wisconsin.

All of the proposed legislation making provisions therefor, requested by the League and by the State Civil Service Commission was denied and even the number of days of service of the members of the commission was cut down from 100 to 80 days for which they could draw the small per diem of \$10.00 per day. Altogether the last legislature cannot be said to have been friendly to the merit system.

The present Governor declined, after earnest solicitation on behalf of our League to say a single word in favor of the cause in either of his annual messages. While he has not openly expressed himself against the merit system, we feel very confident that he is not an ardent supporter of it. It is publicly reported that our Governor is a candidate for the United States Senate and it is possible that this may have influenced him in remaining silent upon the all important subject of the merit system.

Wisconsin sustained a great loss when it permitted Mr. Doty, Secretary of the State Civil Service Commission to sever his connection here, to become the Secretary of the County Civil Service Commission at Los Angeles. The compensation allowed Mr. Doty was wholly inadequate for the work he was doing. Mr. Doty we believe was one of the most efficient secretaries in the United States.

At the expiration of Mr. C. E. Buell's term he was president of the Civil Service Commission. His eminent service for meagre compensation certainly entitled him to a reappointment and the League feels that a serious mistake was made in dispensing with his services.

The City Civil Service Board of Milwaukee has made a new classification of the city service and is now entering upon the programme of new rules a procedure similar

to the arrangement of the Chicago Civil Service Commission.

In this work we are happy to say, it has received the assistance and co-operation of the Common Council, the Mayor, and Mr. Ralph Bowman, the director of the Bureau of Municipal Research.

### THIRD SESSION

Boston University Hall,  
Thursday evening, December 11.

AT 8:00 p. m. the League reconvened at Boston University Hall.

Governor Simeon E. Baldwin, of Connecticut, delivered an address.<sup>1</sup>

President Charles W. Eliot delivered the President's annual address.<sup>2</sup>

President A. Lawrence Lowell, in closing the meeting, made a brief address, in which he pointed out the necessity for a government by experts rather than by "amateurs."

### FOURTH SESSION

Hotel Vendome,  
Friday morning, December 12.

AT 11:00 a. m. the League reconvened, President Eliot in the chair.

Hon. Charles J. Bonaparte presented the report of the Committee on Nominations, as follows:

#### FOR PRESIDENT:

Richard Henry Dana .....Cambridge, Mass.

#### FOR VICE PRESIDENTS:

Edwin A. Alderman.....Charlottesville, Va.

Charles J. Bonaparte.....Baltimore, Md.

Joseph H. Choate.....New York, N. Y.

Charles W. Eliot.....Cambridge, Mass.

Harry A. Garfield.....Williamstown, Mass.

George Gray .....Wilmington, Del.

Arthur T. Hadley.....New Haven, Conn.

Seth Low .....New York, N. Y.

Franklin MacVeagh .....	Chicago, Ill.
George A. Pope .....	Baltimore, Md.
Moorfield Storey .....	Boston, Mass.
Thomas N. Strong .....	Portland, Ore.
Herbert Welsh .....	Philadelphia, Pa.

## FOR MEMBERS OF THE COUNCIL:

William A. Aiken .....	Norwich, Conn.
Frederic Almy .....	Buffalo, N. Y.
Charles J. Bonaparte .....	Baltimore, Md.
Arthur H. Brooks .....	Boston, Mass.
Roscoe C. E. Brown .....	Brooklyn, N. Y.
Charles C. Burlingham .....	New York, N. Y.
George Burnham, Jr. ....	Philadelphia, Pa.
John A. Butler .....	Milwaukee, Wis.
Charles L. Capen .....	Bloomington, Ill.
Edward Cary .....	New York, N. Y.
Robert Catherwood .....	Chicago, Ill.
William C. Coffin .....	Pittsburgh, Pa.
Everett Colby .....	Newark, N. J.
Charles Collins .....	New York, N. Y.
Joseph P. Cotton, Jr. ....	New York, N. Y.
William E. Cushing .....	Cleveland, Ohio.
Horace E. Deming .....	New York, N. Y.
Albert de Roode .....	New York, N. Y.
John Joy Edson .....	Washington, D. C.
Charles W. Eliot .....	Cambridge, Mass.
John A. Fairlie .....	Urbana, Ill.
Henry W. Farnam .....	New Haven, Conn.
Albert Smith Faught .....	Philadelphia, Pa.
Cyrus D. Foss, Jr. ....	Philadelphia, Pa.
William Dudley Foulke .....	Richmond, Indiana.
Elliot H. Goodwin .....	Washington, D. C.
Charles Noble Gregory .....	Washington, D. C.
H. R. Guild .....	Boston, Mass.
William B. Hale .....	Chicago, Ill.
Henry W. Hardon .....	New York, N. Y.
Robert D. Jenks .....	Philadelphia, Pa.
Stiles P. Jones .....	Minneapolis, Minn.
William V. Kellen .....	Boston, Mass.
Francis B. Kellogg .....	Los Angeles, Cal.
John F. Lee .....	St. Louis, Mo.
William G. Low .....	Brooklyn, N. Y.
George McAneny .....	New York, N. Y.
Henry L. McCune .....	Kansas City, Mo.
John W. Mariner .....	Milwaukee, Wis.
Harry J. Milligan .....	Indianapolis, Ind.
William B. Moulton .....	Chicago, Ill.
Samuel Y. Nash .....	Boston, Mass.
Samuel H. Ordway .....	New York, N. Y.
Elliott H. Pendleton .....	Cincinnati, Ohio.
John Read .....	Cambridge, Mass.

H. O. Reik.....	Baltimore, Md.
Charles Richardson .....	Philadelphia, Pa.
Nelson S. Spencer.....	New York, N. Y.
Henry W. Sprague.....	Buffalo, N. Y.
Ellery C. Stowell.....	New York, N. Y.
Lucius B. Swift .....	Indianapolis, Ind.
Frank J. Symmes.....	San Francisco, Cal.
William J. Trembath.....	Wilkes Barre, Pa.
Henry Van Kleeck.....	Denver, Col.
William W. Vaughan.....	Boston, Mass.
T. Henry Walnut.....	Philadelphia, Pa.
Everett P. Wheeler.....	New York, N. Y.
Russell Whitman .....	Chicago, Ill.
Charles B. Wilby .....	Cincinnati, Ohio.
Ansley Wilcox .....	Buffalo, N. Y.
Charles D. Willard .....	Los Angeles, Cal.
Frederick C. Winkler.....	Milwaukee, Wis.
R. Francis Wood .....	Philadelphia, Pa.
Clinton Rogers Woodruff.....	Philadelphia, Pa.
Morrill Wyman, Jr. ....	Cambridge, Mass.

It was moved and seconded that the Secretary be directed to cast one ballot for the election of the gentlemen named. The motion was unanimously carried. The Secretary cast the ballot and announced the election of the ticket as read.

In the absence of Mr. A. S. Frissell, the Treasurer of the League, the Secretary read the Annual Report of the Treasurer,<sup>1</sup> which was, upon motion, received and ordered to be submitted to an auditing committee to report to the Council at the first meeting after the annual meeting.

Mr. Richard Henry Dana presented the report of the Special Committee on Resolutions. Upon motion, the report was accepted and the resolutions adopted as the resolutions of the League.<sup>2</sup>

Mr. Elliot H. Goodwin submitted a preliminary report of the Special Committee on Removals,<sup>3</sup> which, after discussion, in which Miss Nichols, Mr. William G. Low, Mr. Goodwin, Mr. Wilcox and Mr. Catherwood took part, was referred to the next Council for further consideration.

The report of the Committee on Reform in the Con-

sular and Diplomatic Services was presented by Mr. Ansley Wilcox.<sup>1</sup> This report caused some discussion as to the policy of the League's censure of the administration for spoils appointments in the diplomatic service, but was finally accepted, with the amendment that the League recognizes that on occasions when there is some definite policy to be carried out in regard to a particular country, it may be necessary to remove a diplomat not in sympathy with the policy of the administration.

Hon. Garrett Drovers of the Massachusetts Civil Service Commission presented a paper—"The Growing Functions of the State and How They Are to Be Met by the Merit System."<sup>2</sup>

## FIFTH SESSION

Hotel Vendome,

Friday afternoon, December 12.

AT 3:00 p. m. the League reconvened, President Charles W. Eliot in the chair.

Mr. Benjamin F. Heidel, Division Engineer in the Bureau of Public Roads, Department of Agriculture, read a paper prepared by the director of the bureau, Logan W. Page,—“The Merit System in Road Management.”<sup>3</sup>

Upon motion of Mr. Bonaparte, the invitation from Mr. Page that the League take charge of one entire session of the Fourth American Roads Congress, to be held in Atlanta, Georgia, in October or November, was referred to the Council, with the recommendation that it be adopted if found practicable.

Then there followed a symposium on the Selection of Higher Municipal Officers.

Mr. H. S. Gilbertson, Executive Secretary of the National Short Ballot Organization, presented a paper—“The City Manager Plan—Its Contribution to the Growth of a Non-Political and Efficient Personnel in Municipal Administration.”<sup>4</sup>

Hon. Lewis H. Van Dusen, of the Philadelphia Civil Service Commission, presented a paper—“The Choice of

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Printed in full <sup>1</sup> at page 114; <sup>2</sup> at page 91; <sup>3</sup> at page 119; <sup>4</sup> at page 127.

**Municipal Experts Through Competitive Examinations in Philadelphia."**<sup>1</sup>

Mr. R. Francis Wood, Chairman of the Executive Committee of the Pennsylvania Civil Service Reform Association, read a paper prepared by Lieutenant James Reed, Assistant Director, Department of Public Works, Philadelphia—"How the Selection and Retention of Experts Have Taken Contracts Out of Politics in Philadelphia."<sup>2</sup>

There then followed discussion on the selection of higher municipal officers, in which Hon. Clinton Rogers Woodruff, Secretary of the National Municipal League, led and Mr. Richard Henry Dana took part.<sup>3</sup>

Mr. Ansley Wilcox moved that a vote of sincere thanks be extended to the Massachusetts Association, the Women's Auxiliary and the University Club for their hospitality. The vote was unanimously adopted.

The meeting then adjourned.

*Attest:*

ROBT. W. BELCHER,

*Secretary.*

On the evening of Friday, December 12, a banquet was held at the Hotel Vendome. Rev. George Hodges, of Cambridge, was toastmaster, and the speakers included President Charles W. Eliot, Hon. Charles J. Bonaparte, Moorfield Storey and Richard Henry Dana.

On December 11 the visiting delegates were tendered a luncheon at the University Club by the Massachusetts Women's Auxiliary.

## ANNUAL REPORT OF THE TREASURER

November 30, 1913.

Balance on hand December 1, 1913.....\$1,955 00\*

## RECEIPTS:

Associate membership dues .....	\$ 3.30 00
Sustaining membership dues .....	235 00
Subscription .....	25 00
Buffalo C. S. R. Association.....	250 00
Chicago C. S. R. Association.....	50 00
Cincinnati C. S. R. Association.....	325 00
Connecticut C. S. R. Association.....	175 00
District of Columbia C. S. R. Association.....	50 00
Indiana C. S. R. Association.....	100 00
Maryland C. S. R. Association.....	350 00
Massachusetts C. S. Association.....	1,150 00
New York C. S. R. Association.....	1,601 72
Pennsylvania C. S. R. Association.....	1,015 09
Wisconsin C. S. R. Association.....	125 00
California C. S. R. Association.....	25 00
Women's Auxiliary of Maryland.....	100 00
Women's Auxiliary of Massachusetts.....	100 00
Women's Auxiliary of New York.....	100 00
Pamphlets sold.....	32 99
Special Committee on Extension of Civil Service Reform.....	225 00
Special Fund for Increasing Membership and Influence.....	1,000 00
Special Fund.....	500 00

Total League Receipts.....\$7,644 71

GOOD GOVERNMENT Receipts.....578 37

3,223 06

\$9,578 06

## DISBURSEMENTS:

Salary of Secretary.....	\$1,500 00
Salary of Assistant Secretary.....	750 00
Salary of Second Assistant Secretary.....	600 00
Salaries of Clerks.....	1,327 00
Office Rent.....	641 68
Office expenses.....	239 08
Postage and Stamped Envelopes.....	304 51
Stationery.....	141 48
Printing.....	391 98
Traveling Expenses.....	358 35
Telephone Service.....	22 37
Special Committee on Extension of Civil Service Reform.....	153 90
Special Fund for Increasing Membership and Influence.....	355 79
Special Fund.....	141 63

Total League Disbursements.....\$6,934 73

GOOD GOVERNMENT Disbursements.....953 97

7,888 70

Balance on hand.....+\$1,989 96  
E. & O. E.

A. S. FRISSELL, Treasurer.

\*Of which \$79.62 is Special Fund of the Committee on Extension of Civil Service Reform; \$50.76 is Special Fund for Increasing Membership and Influence, and \$341.37 is Special Fund.

\$This is exclusive of \$600.00 salary of Second Assistant Secretary, paid out of this Fund and itemized above.

†Of which \$150.72 is Special Fund of the Committee on Extension of Civil Service Reform; \$694.97 is Special Fund for Increasing Membership and Influence, and 99.74 is Special Fund, leaving a net available League balance of \$1,044.55.

Audited and found correct,

GEORGE R. BISHOP.

ALFRED B. MEACHAM.

Committee.

March 10, 1914.

## REPORT OF THE COUNCIL.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

It is a fact of deep significance to friends of civil service reform, and of even deeper significance to its occasional opponents, that, while this League has seldom had a heavier task of defense against attacks on the integrity of the merit system in the federal service than during the past year, the constructive work of extending and improving the merit system throughout the country has resulted in the addition of three new states to the six which had a civil service law a year ago and in the continued and almost universal approval of the reform by the people at the polls.

The change in administration in Washington has been followed, as was expected, by serious assaults on the merit system. In the last session of the last Congress hostility to the civil service law displayed itself openly. The occasion for these early attacks was the order of President Taft, issued on October 15, 1912, placing in the competitive classified service the 36,000 fourth-class postmasters south of the Ohio and Potomac Rivers and west of the Mississippi River. The order was attacked because, as has been the case in every extension of the classification, beginning with the passage of the civil service law in 1883, the order of October 15 covered in thousands of political appointees who had never passed an examination. The resolution to repeal the order, made in the form of a rider to the post office appropriation bill, was recognized, however, as clearly political in its purpose and was defeated by a vote of 141 to 107, 40 Democrats, to their credit, refusing to approve this backward step.

Early in the special session of the present Congress other signs of a determination to overthrow the merit system became manifest. The first serious effort came in the form of a rider to the tariff bill inserted by



the Senate committee, providing that the force employed for the collection of the income tax should, for two years, be appointed without compliance with the requirements of the civil service law. The exemption of this force is peculiarly dangerous, because of the great inquisitorial powers which will vest in these collectors, carrying with them rich opportunities for corrupt favoritism or oppression in the collection of the tax, if the appointment of the force is not safeguarded from politics by the barriers of the merit system. In its vigorous opposition to this rider this League fortunately had the co-operation of commercial and civic organizations throughout the country and the amendment was scathingly criticised by the press. The League's efforts were only partially successful. The rider before its passage was amended so as to provide that the appointments should be made under rules and regulations to be fixed by the Secretary of the Treasury and by the addition of a clause directing that the income tax employees outside Washington should be employed on general internal revenue work when not engaged in the collection of the income tax. The latter clause makes it possible to pack the general internal revenue force with political appointees, but in its amended form the rider undoubtedly left with the President the power to order that the appointments be made under civil service rules and regulations. This the League earnestly requested the President to do, but thus far no such action has been taken. The Secretary of the Treasury, meanwhile, has issued a set of regulations governing these appointments, which call in general for a statement from applicants as to their training, experience, etc., and for references as to their character. The best that can be hoped from this system is a weak pass-examination, necessarily far inferior to the competitive tests which would have been set by the Civil Service Commission. The results will be watched with apprehension.

Upon the heels of this successful effort came a worse rider to the urgent deficiency appropriation bill, removing from the competitive classified service practically all deputy collectors of internal revenue and deputy United States marshals. The deputy collectors had been

in the competitive classified service since 1907; the deputy marshals since 1909. For their exemption there is no shadow of excuse. The classification of the internal revenue service was followed by striking increases in economy and efficiency. The exemption of the deputies can work only injury to the service, not merely through lowering its efficiency, but through increasing the political activity of the deputies, which will again be felt with special force in the Southern states.

The League directed its energies against this rider, and opposition to its passage in Congress was very strong; in fact, party ranks in the House were again broken, as they had been in the effort to repeal the Executive order of October 15, 1912. It was only by the narrow majority of five that the rider was approved, 57 Democrats voting against it.

Believing that this proviso was most obnoxious, not only *per se*, but because of its appearance as a totally irrelevant rider in an appropriation bill, the League urged the President to veto the bill and thus check the growing tendency of Congress to force the President's hand in civil service matters through rider legislation. At the same time, it confidently expected that if he did not follow this course he would at least exercise the power which the language of the bill gave him and order that the deputies should remain in the competitive classified service. To the deep regret of the League, however, neither of these things was done. Instead the President signed the bill and issued a memorandum, in which he said:

"I am convinced after a careful examination of the facts that the offices of deputy collector and deputy marshal were never intended to be included under the ordinary provisions of the civil service law. The control of the whole method and spirit of the administration of the provision in this bill which concerns the appointment of these officers is no less entirely in my hands than it was before the bill became law; my warm advocacy and support both of the principle and of the *bona fide* practice of civil service reform is known to the whole country, and there is no danger that the spoils system will creep in with my approval or connivance."

The League takes issue squarely with the President on his statement that the deputies were never intended to be included under the ordinary provisions of the civil service law. Their appointment through competitive examinations has worked most successfully, while their exemption, if one may judge from past experience, can result only in grave prejudice to the service. The President's statement of his opposition to the spoils system may have some wholesome effect on Congress. It has been followed by a circular letter to all collectors of internal revenue and United States marshals sent by the President's direction warning them against appointment of their deputies for purely political or personal reasons. Whatever moral effect this warning may have, however, a most deplorable backward step has been taken which, under an administration less favorable to the merit system, may facilitate a return to the worst evils incident to the spoils system in this part of the service.

In spite of the President's failure to defeat these vicious attacks of Congress on the integrity of the civil service law, his civil service record in most other respects has been that of a sincere friend of the reform.

Perhaps the most difficult matter affecting the classified service which confronted the President at the beginning of his administration was President Taft's order classifying 36,000 fourth-class postmasters already referred to. Comparatively insignificant as these places are, their classification had angered the members of the Democratic party in Congress and there can be no doubt that pressure was brought to induce the President to repeal the order. This, however, he steadfastly refused to do, but on May 7 issued an order amending the previous orders of President Roosevelt and President Taft by providing that no fourth-class postmaster should be given a competitive classified status unless he had obtained his position through a competitive examination. This order contemplated the holding of examinations for all offices which had not been filled through competition, the tests for offices paying less than \$180 a year to be conducted by post office inspectors and for offices with a higher compensation by the Civil Service Commission.

At the time this order was issued the League stated that, while there were sound reasons for doubting either the necessity or the wisdom of the proposed plan, it might, if carried out impartially and fairly, increase the efficiency of the service. The experiment of examining all those persons already holding office is an entirely new one in the federal service and its operation will be watched with much interest by the League, which, through a special committee, will endeavor to learn definitely the manner in which it is carried out and its results.

The President's course with reference to appointments and promotions in the consular service and in the diplomatic service up to and including the rank of secretary of embassy deserves the warm approval of the League. The report of the League's Special Committee on Consular and Diplomatic Reform will show that, while there have been 102 appointments to these offices since March 4, in not a single case has the principle of the Executive orders of President Roosevelt and President Taft, providing for appointments after examination and promotions on merit, been departed from. This fact is of great significance. While the system established by these orders is not a thoroughgoing merit system and leaves room for further development, it has materially improved the personnel of the service. But the security of this system depends entirely upon the will of the President. It was established by Executive order only; efforts to give it permanence through legislation have uniformly failed; and at any time the President may revoke the orders, modify or weaken the system, or break it down in particular instances by ordering special exceptions in the interest of some favored individuals. In spite of the hostility to the present system openly expressed by several Democratic Senators, the President has courageously stood by his pledge to maintain it, and a critical point in the endeavor to reclaim the foreign service from the spoilsmen has been successfully passed.

The League regrets that in the selection of ministers abroad the President has in many cases displaced ex-

perienced, trained diplomats with men of neither experience nor training, in some cases apparently distributing these posts as mere political rewards. It is evident that this country is far from an established merit tradition in this part of its foreign service, but the unfavorable criticism so widely made of several of the diplomatic appointments indicates the growing interest of the people in the complete reclamation of the foreign service from the taint of partisan politics. It is especially encouraging that business men and business organizations have shown a lively interest in the matter, which so vitally affects the entire nation.

The Civil Service Commission has been reorganized, the President retaining Commissioner McIlhenny, who is now president of the Commission, and appointing Mr. Charles H. Galloway of South Carolina and Mr. Hermon W. Craven of the state of Washington as successors to General Black and Commissioner Washburn, whose resignations he accepted. President McIlhenny has been a member of the Commission since 1906. Neither of the new members has had any experience in civil service matters. The work before the Commission now is of greatest importance, including, as it does, the development of an efficiency system for the entire service as provided for by Congress in the summer of 1912. As John R. Proctor, president of the United States Commission, said twelve years ago: "The nature of the examinations depends really, not upon the rules, but upon the Commission which is to execute them. A commission could run the standard down until an entirely different class of men was obtained, or gradually work it up so as to bring in only the highest class of candidates." The new members of the Commission will need months of labor to give them the proper mastery of the infinite details of the Commission's work, but, although for these reasons it is unfortunate that in making the changes in the Commission's personnel the President did not select men of some practical experience in civil service administration, the League confidently hopes for a sound progressive administration of the law.

The need for further extension of the classified ser-

vice to cover all federal offices which do not have to do with the determination of governmental policies has again been strikingly demonstrated. The changes in such offices since March 4 have, of course, been numerous. The greater part of the appointments has been made on the expiration of the four years' term of office. Others have been due to resignations, and in a smaller number of cases to removal of incumbents before the expiration of their terms. Thirty per cent of the presidential postmasters have been changed; 46 per cent of the collectors of internal revenue; 36 per cent of the United States district attorneys; and 20 per cent of the registers of the general land office. In some cases the appointments have been distinctly political, notably in such instances as the appointment of William J. Harris as director of the census to succeed E. Dana Durand and of Patrick H. Quinn, a Democratic district leader of Brooklyn, to be shipping commissioner in New York City. A political battle has been waged about appointments to some other posts, as in the case of the collector of the port of New York, where the choice of a successor to Mr. Loeb revolved about the local struggle to overthrow Tammany Hall and build up a new Democratic party in the Greater City and in the state. The same strife for factional advantage has surrounded other unclassified offices, in some cases resulting in the appointment of men of dubious qualifications.

To this task department heads and the President himself have been forced to devote an enormous amount of time and energy which should have been devoted to the consideration of questions of real importance. The harassment of department heads by an office seeking horde that invaded Washington immediately after the inauguration was notorious and against it national impatience and disgust strongly asserted themselves.

All this is but a repetition of events that have followed every change in administration. There are now approximately 10,000 presidential offices, for every one of which there are many applicants, and all of which make up the "valuable" patronage of the administration. No argument worthy of serious consideration supports

the present practice of making appointments to these offices for a brief term, only to displace the incumbents on a change in administration with novices whose sole claim to appointment is service in the interest of the party or of a faction of the party. The remedy for such conditions of extravagance and waste is to be found in the classification of all those positions below the immediate subordinates of department heads who actually have to do with the determination of policies. That consummation is bound to come and opposition to it decreases with every such exhibition of the spoils system at work, as the country has seen during the past few months.

Another feature of the national administration which calls for serious consideration and early action is the lack of any real system of promotion on merit in the departments. Because of this lack every change in the complexion of the government at Washington is followed by serious disturbances reaching from the highest to the lowest grade in the service, resulting from political manipulation within and without the service in the effort to secure good places for political favorites. Such incidents have marked developments in Washington since March 4. A reorganization may well be both desirable and necessary in some departments or bureaus. In effecting these changes, however, the best results cannot be obtained unless political motives are eliminated. In some bureaus in the departments, however, politics has frankly played an important, if not controlling part in such reorganization. An assistant commissioner of pensions, for example, referring to the reorganization of that bureau, frankly stated that political considerations had entered into the changes. In the department of state the two foreign trade advisers, men of valuable experience and training, voluntarily resigned because they believed the failure to recognize merit in filling the higher posts and the substitution of politics for merit made a career in the service impossible. Their places were filled by the selection of two men without experience who evidently obtained appointment as a reward for personal or political services. The solicitor of the department of state is

understood to have resigned for the same reasons. These things are the fruit of that lack of any sound system of advancement in the service. As long as this lack continues so long will advancement depend more on political and personal influence than on merit and fitness and so long will the best equipped young men refuse to enter the government employ.

The exercise of the power by Executive order to grant special exceptions permitting the appointment of an individual without complying with the requirements of the civil service rules has been carefully watched by the League and it is manifest that its abuse must be closely guarded. During the four years of President Taft's administration an average of 61 special exceptions a year were granted. Seventy-two of these exceptions were granted within the last two months of his administration. Many of the appointments were plainly charitable and but few justified by the facts. In the first eight months of the present administration the number has not been inordinately large—26 in all. Only two of these, however, were either necessary or desirable. In several cases the orders were issued to permit the reinstatement to the competitive classified service of persons who alleged that sixteen years ago they had been unfairly dismissed for personal or political reasons and in other cases the orders have been charitable. If the power to issue these orders is not exercised with great care, it may become a source of growing abuse, will be unfair to those who have taken examinations for appointments, and bring the law into serious disrepute. On the other hand, if this power is exercised with care it must make substantial inroads on the President's time and energies which should be devoted to better purposes.

The record of progress throughout the country during the last year is indeed notable. Three states, California, Connecticut and Ohio, have passed civil service laws and commissions are now at work putting the new system into operation. In California and Connecticut the law applies only to the state service, but in Ohio, in accordance with the constitutional provision adopted by a majority of over 100,000 in 1912, the law covers every city, county and city



school district as well as the state service. In several cities charters have been adopted containing strong civil service provisions and civil service commissions have been established in Los Angeles County and in the consolidated county and city government of Denver. Popular approval of the merit system continues to show itself, as in New Jersey, where the people of the city of Elizabeth adopted the provisions of the state law to be administered by the State Commission by a majority of 1667, and in Detroit, Grand Rapids and Houston, where the votes were on the adoption of civil service amendments to local charters.

At the same time the practical usefulness to the community of a sound administration of the merit system is coming to be more fully appreciated, as examination methods improve and civil service commissions begin to take on new functions which are the natural outgrowth of the merit system. Little is left to-day of the myth that a civil service examination is necessarily merely a scholastic test. New methods are constantly being devised, whereby civil service commissions, acting as the agents for the department heads, make the most searching and practical investigations of every fact bearing on a candidate's fitness for the place he seeks, and do the work far better than could the appointing officer himself. Oral examinations have been introduced in several states and communities and proved useful as auxiliary to the general system. Together with this development, civil service commissions, notably in Chicago and in other Western communities, are aiding to secure and maintain the highest degree of efficiency in the service by checking the work of employees after appointment, establishing standards of efficient service and uniformity of classification, salaries and titles, and helping to elevate the public service to the level of efficient private business. These developments in Chicago have been so successful that they are now being followed in many other cities and undoubtedly point the way to the sphere of greater efficiency and usefulness which civil service commissions will occupy in public administration in the future.

In this review of the year's events many important

and interesting details in the progress of the reform have necessarily been omitted, but many of them will be presented in the reports from Associations and Auxiliaries to be submitted at this session. Even a general survey of the year must make clear, however, that the sort of assaults which have so badly marred the record of the present Congress are directly contrary to popular feeling towards the merit system. Popular vote after popular vote in favor of civil service reform continue to pile up evidence that the spoils system is hated and detested today and that the voters want the merit system as a fundamental reform in public life. It will be the duty of this League, and we hope will be made the duty of every other organization interested in good government, to see that this progress is continued, and if members of Congress choose to persist in their mediaeval hostility to the reform, to bring home to them directly the full force of public condemnation of their course.

California, Connecticut, and Ohio, and the continued demonstration in both state and municipal elections of the popular support of the merit system.

Since March 4, 1913, the percentage of changes in collectorships, first, second, and third class postmaster-ships, and marshalships has been more than thirty, a rate about the same that has occurred the last four times a new political party has come into power, though a little less than the highest rate. It follows that the civil service of the United States as yet offers to well-trained young men only a short career without adequate outlets for worthy ambition. The League therefore calls the attention of all good citizens to the fact that the important national appointive offices are still "spoils," and urges them to do their utmost, each in his own place, to remedy this demoralizing and wasteful evil.

Inasmuch as the spoils system destroys free self-government, the League confidently anticipates the continued extension and enforcement of the merit system in the dependencies in all positions, using the words of that staunch democrat, the late Senator Pendleton, "involving neither political power nor the choice of policies," so that by example as well as by precept the inhabitants may be educated in effective administration.

The League commends to the attention of the country the two Chicago plans: first, of employing efficiency engineers under the Civil Service Commission to improve the actual working of city, county, and state departments, a plan already adopted in some other western communities; and second, of enforcing laws, including particularly those for health, morals, and safety by removing those policemen, inspectors, etc., who fail to enforce them, on charges of inefficiency after a hearing before the Civil Service Commission, both of which plans have met with marked success.

## Address

CHARLES W. ELIOT, PRESIDENT OF THE NATIONAL CIVIL  
SERVICE REFORM LEAGUE

The year 1913 has proved a year of many gains for the cause of civil service reform. Indeed, it has been one of the most interesting years in the history of this League. A Democratic administration came into power on the 4th of March, on a platform which contained a plank in favor of the merit system, and with a President who had long been an officer in the National Civil Service Reform League, and who as Governor of New Jersey had recently made the emphatic declaration that "public office is not worth anything, if an entirely satisfactory fulfilment of the duties of an office does not entitle a man to consideration for reappointment," a declaration made to a delegation of labor leaders who requested that a Democrat be appointed state labor commissioner, in place of the actual incumbent, a Republican who had proved himself both honest and efficient.

Shortly before he left office, President Taft had made an order which brought many thousands of fourth-class postmasters into the classified service, a large majority of these men being Republicans. He had also restored to the classified service some twenty thousand artisans and supervisory artisans who held positions in the navy yards, which had been classified positions for many years, but had lost that status for three years under an opinion of the Attorney General. Moreover, President Taft had sent a message to Congress on December 3, 1912, in which he renewed his recommendations for legislation which would make permanent by statute the earlier Executive orders governing appointments to the diplomatic and consular services. The Attorney General had lately recommended in his annual report the classification of attorneys and assistant attorneys in the department of justice. These very recent acts of President Taft's administration were naturally regarded by Democratic spoilsmen as efforts to deprive them of their traditional

right to fill with Democrats many thousands of Federal offices on their long-postponed accession to power.

When the appointments to cabinet offices were announced, it became evident that the influence of the Southern states was to be disproportionately large in the new administrations; and it was well known that civil service reform had never obtained so strong a hold in the Southern as it had in the Northern, Central, and Western states. The situation, therefore, had some elements which inevitably caused anxiety to civil service reformers; but nine months of the new administration have elapsed, and this League can now congratulate itself and the country on the fact that no advent of a national administration which involved the transfer of power from one party to another has ever occurred in which the principles of civil service reform have been so generally observed by the incoming administration, in spite of pressing temptations to disregard them and several attempts by Congress to compel the Executive to violate them.

President Wilson announced on the 5th of March that he did not propose to see applicants for office in person, unless he himself invited the interview, and that it was his intention to deal with appointments through the heads of the several executive departments. The attitude of the several cabinet officers towards civil service reform therefore immediately became a subject of great interest to the National Civil Service Reform League. In general the cabinet officers, with the exception of the Secretary of State, have seemed to intend to conform to the declaration in their party platform and the well-known opinions of the President; but there have appeared some exceptions to this general policy. The Secretary of State has clearly made or proposed appointments in payment for political services, and some other cabinet officers have given signs of accepting a doctrine which Mr. Bryan publicly favored in 1908, namely, that the national offices should be divided between the two great parties in proportion to their political strength. Acceptance of this precept has been indicated by making some removals, some transfers, and some promotions in the

classified service, in such a way as to bring in or advance Democrats.

One of the most interesting questions concerning the right application of the merit system arose in the post office department in relation to a very large number of fourth-class postmasters. In 1908 President Roosevelt by Executive order classified, that is, put under civil service rules, about 15,000 fourth-class postmasters in the territory north of the Ohio and the Potomac and east of the Mississippi. On October 15, 1912, shortly before the Presidential election, President Taft by Executive order classified all the remaining fourth-class postmasters in the United States, about 36,000 in number. In neither instance were the actual incumbents—who were in the main political appointees expected to render partisan service—required to pass any sort of examination; so that about 51,000 fourth-class postmasters had been “covered in” to the permanent service. President Wilson by an order of May 7, 1913, amended the orders of his two predecessors by providing that no fourth-class postmaster should be given a competitive classified status, unless “he was appointed as the result of a competitive examination or shall be so appointed.” He further ordered that all vacancies in these 51,000 offices should be filled through examination conducted either by the National Civil Service Commission or by postoffice inspectors. Postmasters in office might enter these examinations or not, as they chose. From the eligible lists established by these examinations permanent appointments should be made from among the first three on the several lists, the present incumbents taking their chances of appointment with the other competitors. President Wilson thus departed from the rule which had governed all previous administrations, Democratic and Republican alike, whenever extensions of the civil service classifications were made, namely, that all the incumbents affected by the extension should be “covered in.”

The National Civil Service Reform League had never opposed that practice of “covering in,” although it violated the fundamental principles of the merit system. The League’s reasons for acquiescence in the “covering

in" policy were (1) that to require incumbents to enter examinations whenever extensions were made would have delayed the process of classification with all its resulting benefits, and (2) that if incompetent persons got into the service in this way there were ample means of removing them. On the other hand, the League recognized that the method of dealing with these 51,000 offices put in force by the Executive order of May 7th conformed to sound civil service principles, and might result in greatly increasing the efficiency of the fourth-class postoffices, provided that the order was fairly and impartially executed. It is obvious, however, that it will be within the power of the Postmaster General or other appointing officer to replace the actual incumbent who has passed the examination with the highest rating by either of the other two men at the head of the list. The League thinks that it will cost much time and money to carry out fairly and effectively President Wilson's order of May 7 about fourth-class postmasters; but it regards that order as a sound amendment of the practice under the preceding administrations called "covering in." How it has thus far been executed is not yet known to the National Civil Service Reform League.

It has been reported in the public press that the Postmaster General has decided to recommend the classification of all second and third class postmasters, who number approximately 8,000; and at about the same time the Secretary of Commerce was said to have recommended the employment of 14 commercial attaches at American embassies and legations, to supplement the work of the consular service in sending home commercial information and so promoting the commerce of the United States. These attaches were to be appointed without civil service examination. These reports have been followed by a corresponding recommendation to Congress by the Secretary of Commerce.

In the Department of State the Executive orders of the two preceding administrations have been adhered to, exceptions being made only when, in case of vacancy in one of the higher positions, the President at the time does not find within the service a person entirely quali-

fied. Up to December 1 all previous Executive orders have been maintained in regard to about 30 secretaries of embassies and legations, 22 consuls general, and 50 consuls, all of whom have been appointed, transferred, or promoted through original examination. The administration's record in this respect is therefore without blemish from the point of view of civil service reform. The policy of the administration as to ministers and ambassadors has, however, been different; but the reasons for this difference have not been made public. Out of 11 ambassadors 8 have been replaced, and out of 35 ministers 22 have been replaced, with the result that some men of long experience have been replaced by untrained men. A single illustration of this sort must suffice:— Henry Morgenthau, chairman of the Democratic finance committee, displaced William Rockhill as minister extraordinary and envoy plenipotentiary to Turkey. Mr. Morgenthau was wholly without experience in diplomacy. Mr. Rockhill had been in the diplomatic service for nineteen years, as chief clerk and third assistant secretary in the department of state, minister and consul general to Greece, Roumania, and Servia, director of the international bureau of American Republics, commissioner of the United States in 1900-01 in connection with the Boxer insurrection in China, minister to China in 1905, ambassador to Russia in 1909, and thence transferred to Constantinople in 1911. Of the 22 ministers displaced, 13 had had several years' experience in diplomatic service. None of the 22 new appointees had ever had any experience. As has been already mentioned, several of the appointments of obscure men to diplomatic posts have seemed to the public to be made in payment of political debts; but the public attributes these appointments not to the President, but to the Secretary of State. It is fair to say that some of the new appointments in the diplomatic service were made necessary because the former incumbents had tired of their work, or felt unable to support some of the policies adopted by the new administration. Furthermore, several competent persons invited by President Wilson to take posts in the diplomatic service declined to do so.



It must be said with regret that the action of the administration with regard to the appointment of ambassadors and ministers, like much of the action on this subject in all preceding administrations, goes to establish the fact that in the United States there is no such thing as a profession of diplomacy. President Roosevelt and President Taft succeeded in making the secretaryships in the diplomatic service and the consulships look to many Americans as if they would offer a satisfactory career for intelligent and public-spirited young men, and the action of President Wilson has maintained or confirmed that impression; but it is obvious that the men who take these appointments cannot count on promotion for proved merit to the higher posts, in spite of the fact that Presidents Roosevelt and Taft promoted a few secretaries to be ministers.

Considering the long exclusion of the Democratic party from the government, the number of changes made in the first nine months of the new administration in the unclassified offices, most of which were of course held by Republicans, is within the limits set by former administrations, as the following figures testify:—

(a) Postmasters of the first, second, and third class: the approximate number in the whole service is 8,500; the number of new appointees since March 4, 1913, is 2,572, of which 160 were due to removal, 451 to resignation, 145 to death, 332 to fourth-class offices becoming third class, 17 to change in name of office or of incumbent or because of declinations, and 1,467 to expiration of term. The percentage of change is 30.

(b) Collectors of internal revenue: the total number of collectorships is 67. The number of appointments since March 4 is 36, of which 26 were due to removal, 9 to resignation, and 1 to the creation of a new office. The percentage of change is 54.

(c) Collectors of customs: the new appointments were 24, of which 3 were due to removal, 8 to resignation, 10 to expiration of term, 1 to the establishment of a new office, 1 to death, and 1 to a temporary appointment. The total number of these places at the present time is not known to the officers of the League, because

of the recent reduction in the number of custom houses.

(d) United States district attorneys: the total number is 83, the number of appointments is 30, of which 12 were due to resignation, 16 to expiration of term, and 2 to temporary appointment. The percentage of change is 36.

(e) Registers of the general land office: the total number of offices is 102, the number of appointments 21, of which 4 were due to removal, 3 to resignation, 1 to death, and 13 to expiration of term. Percentage of change is 20.

(f) United States marshals: the total number of changes is 20, of which 3 were due to removal, 9 to resignation, 7 to expiration of term, and 1 to temporary appointment. The total number of these places is unknown to the officers of the League.

The moral to be drawn from these figures is that the United States cannot possibly have a proper civil service, that is, an efficient, honest, and business-like service, until all the higher offices, which are now treated as spoils, have been brought under the merit system of appointment. To achieve this result a self-denying ordinance on the part of Congress is probably necessary.

The attacks on the merit system made in Congress during the year 1913 have proceeded for the most part from members of the Democratic party in both House and Senate; and these attacks have been somewhat numerous. The most serious of them, however, have been defeated or mitigated. Thus, an amendment to the post-office appropriation bill, which provided for the repeal-October 15, 1912, was defeated in the House of Representatives after a long debate, by a vote of 141 to 107, 40 Democrats voting against the repeal. An amendment to cut off the appropriation for the expenses of post-office inspectors in conducting examinations was adopted in the House by a close vote, but rejected in the Senate. The pernicious income-tax collection provision in the tariff bill was effectively opposed by the United States Civil Service Commission and by many business organizations throughout the country, and was in consequence amended, so that appointments should be made under rules and reg-

ulations to be fixed by the Secretary of the Treasury. This League urged the President to issue an Executive order requiring these appointments to be made under civil service rules; but no such order was made. The Secretary of the Treasury issued regulations in October last governing appointments to the income-tax collection force; but under these regulations nothing but pass examinations can be held, so that there will be no competitive system of appointment. Moreover, every candidate is to be asked in what Congressional district he claims legal residence, which is a clear intimation what the real appointing power is to be. The blame for this bad legislation, which cannot but make more troublesome and less productive the collection of the new tax, should fall on Congress; but it is clear that the President did not see his way to oppose effectively in this matter the will of the Senate and House of Representatives. The rider placed by the Senate and House on the urgent deficiency bill was an unblushing attempt on the part of Congress to limit the range of the merit system in the national service, and enlarge the range of the spoils system. To the adoption of this measure the Republicans in the House were uniformly opposed, and 57 Democrats stood by the pledge in the Democratic platform. The votes in favor of this pernicious measure were given by Democrats only.

This League naturally takes strong interest in the question whether the majority of the Democratic party in Congress is going to abandon the policy of civil service reform to the Republican party, which has given clear evidence that it hopes to make civil service reform an important issue in the next campaign. It is noticeable that the seven bills introduced in the Senate to extend the Federal classified service were all introduced by Republican Senators. Thus far, the action of the administration seems on the whole to support the Democratic minority in Congress which remains faithful to the declaration in the party platform.

The progress of the merit system in states and cities during the past year has been very encouraging. California has adopted a civil service law applying to the entire

state service, and the commission appointed under this law began work by refusing to exempt from the operation of the law positions under the supreme court and the bank commission. The state of Connecticut has adopted a merit law applying to the whole state service, and two members of the Connecticut Civil Service Reform Association were made members of the Commission. Ohio has adopted a state-wide civil service law, in accordance with a constitutional provision previously adopted by a heavy popular vote. This law applies to the state, counties, cities, and city school districts. Acting under this law and under the so-called home rule section of the constitution, the city of Cleveland adopted a new charter which provides for the introduction of the merit system. The new charter of the city of Dayton on the city-manager plan contained a civil service section which was of some value, but in details was in conflict with the state law. The city of Springfield, Ohio, adopted a similar charter with civil service provisions consistent with the state law. A good civil service system for the city of Minneapolis was adopted, and the secretary of the commission and the chief examiner were selected through competitive examination. An amendment to the charter of Detroit providing for a strong merit system was adopted by popular vote in April last. A charter amendment providing for a merit system of appointment was adopted in Grand Rapids, Michigan, by popular vote in the same month. The voters of Houston, Texas, adopted on October 16 by a two-thirds majority a charter amendment providing a civil service commission and a competitive classified service, but also an unusually large unclassified service which includes all the principal city officials. An effort made in the legislature to repeal the Illinois civil service law was defeated, as were also several other bills hostile to the merit system. The result of the municipal election in New York City must be counted as favorable to the maintenance of the merit system, inasmuch as Mayor-elect Mitchel. President McAneny, and Comptroller Prendergast are all strongly in favor of that system. The continued advance of the commission form and the city-manager form of government for cities is

favorable to the progress of civil service reform; because almost every city which adopts one of these two forms of government includes in the change some sort of civil service ordinance, often not well conceived or well executed, but still a great improvement on the previous spoils system.

With these strong encouragements from all parts of the country go some discouragements. Thus, merit system bills introduced in the legislatures of Texas, Michigan, and Minnesota failed to pass. Serious attacks were made on the Illinois state civil service law and the Philadelphia civil service law which were very threatening, although they did not ultimately succeed. In New York Governor Sulzer appointed new civil service commissioners, none of whom had any experience in the administration of the merit system. He also used positions in the state hospital service for political purposes. On the other hand, he vetoed a peculiarly bad act of the New York legislature which provided that employees in the civil service could be removed only after a trial with right to a review in court.

The commonest objection to the merit system, urged over and over again by both its habitual and its casual opponents, is the objection that the systematic method of appointments on the results of inquiry and examination fills up the service with men good at passing examinations, a large proportion of whom prove to be unfit for the offices to which they are assigned, and that there is then, under the rules of a classified service, no way of getting rid of the unfit; so that the service of the nation, the state, or the city gets gradually obstructed by large numbers of incompetent persons who have practically secured a life-tenure. This objection has no foundation in fact, either in the national service, or in any well-regulated state or municipal service. In the first place, the custom of appointing on probation is practically universal under civil service laws in this country. Secondly, even when an appointee has passed the period of probation, the head of the department in which he serves has power to discharge him without a trial if he prove unfit; but for the security of the employee, the depart-

ment head must present charges against the unfit employee and give him an opportunity to make explanations. The minutes of this process must be filed in the public records of the department and of the civil service commission. This is the common procedure; but in some services the employees have a larger measure of protection, in others a smaller. Under these conditions, if the head of a department permits his bureau to be clogged with incompetent or superannuated persons, it is entirely his own fault, and not at all the fault of the merit system of appointment. He must be either afraid or unwilling to take the necessary steps to procure the dismissal of his incompetent subordinate. This charge against the merit system, however, is often made by persons who are simply ignorant of the actual condition of things in services managed on the merit system. It is therefore important not only that heads of departments should have adequate powers of dismissal in all services conducted on the merit system, but that the public should know that they possess such powers; and hence all civil service associations, national, state, and municipal, should statedly give the public both by speech and writing, with the aid of the public press, knowledge of the actual conditions. Abundant testimony on this point can always be procured from experienced officials in Washington, Chicago, and New York, or wherever a civil service organized on the merit system has been in existence for some years. A recent inquiry made in Chicago by the Secretary of the Chicago Civil Service Reform Association resulted in statements to the effect that there was no difficulty in disciplining or discharging unfit employees from the secretary of the board of local improvements, the health commissioner, the superintendent of streets, the building commissioner, the first deputy superintendent of police, the city engineer, the city comptroller, and the fire chief.

There is need of a thorough investigation of the comparative results obtained (1) by the method of taking the first man on the list of eligibles, and (2) by the method of giving an option to the appointing power among the

first three men. Given a probationary term and adequate powers of dismissal, it would seem as if the method of taking the first man on the list were the safer in regard to clerical or other subordinate positions, provided that the examinations included careful inquiry into character, education, bodily fitness, and experience. For offices in which personality, manners, and address count for much, there is something to be said for an option among the three highest candidates. Here is an opportunity for careful inquiry by two or three of the several civil service reform associations, which make up this League, acting together.

No merit system of appointment can yield the best results which does not provide a regular, stated method of determining promotions, a method which completely excludes personal favoritism and political influence. That admission to the service is obtained by merit ascertained through careful, impartial inquiry will not by itself make the service an attractive career to the right kind of young men and women; promotions after admission must be obtainable only as results of similar inquiries and of thorough study of individual efficiency records. Partisan or social favoritism must not determine promotions, any more than they determine admissions. Therefore every public service should have a regular, stated, and well-known method of giving promotion through the various grades of the staff. Many civil services in the United States are now carried on without the use of a proper method in regard to promotions, and therefore fail to obtain the best results of a thoroughly organized merit system.

Within five years the American commercial bodies—the boards of trade, chambers of commerce, and commercial or merchants' clubs—have taken a stronger interest in civil service reform than ever before. They have apparently perceived that the merit system in public service is the only business-like and democratic method of obtaining good public servants, just as it is the only way of obtaining proper servants for commercial, industrial, and transportation organizations; and they have

therefore begun to exert their powerful influence in favor of the merit system in public administrations and against the perpetuation of the spoils system. Their influence has been strong enough to bring about this reform in the consular service, and there can be no doubt that if effectively exerted it could shortly redeem from the effects of the spoils system the post office, the customs and the internal revenue, the treasury, and the entire departments of commerce and agriculture; for with the honest and efficient conduct of all these branches of the national administration American business is deeply concerned.

This League must continue to occupy itself actively with all means of eradicating from our public administration the large remnants of the patronage or spoils system. Some 9,000 valuable and influential offices in the national service are still party or personal spoils, and these offices are those whose salaries and powers are attractive, and which place a large money-power in the hands of bosses and politicians. Their salaries and perquisites supply the corruption fund of every boss or patron. The boss is the best patron, because his tenure is longest. The senator is the next best, and the representative in Congress is an efficient third. Governors and mayors can exert evil influences in proportion to the length of their tenure. A political machine stands next to a boss as a valuable patron, and in some respects is superior to a boss, because it neither dies nor resigns. The American people clearly desires to abolish the entire political patronage system, but does not seem as yet clearly to recognize in all parts of the Union the plain fact that to abolish the spoils system it is essential to adopt throughout all the public services, national, state, and municipal, a democratic and business-like merit system. It is an important function of this League to urge this doctrine on the people at every election and before every legislature.

It has been pointed out before in these annual addresses that the American executives often, though not always, seem to understand better than the legislatures the wishes of the American people in regard to the intro-



duction of the merit system. This has been the case in the national government for the last twenty years, and is true of the present national administration.

This League observes with satisfaction that in many recent elections, city, state, and national, the possession of the offices has failed to promote party success. Some personal successes are from time to time promoted by influence over present or recent possessors of public offices; but in many cases the party which held the public offices has failed in critical elections. Thus, in the last Presidential election the Democratic party held very few national offices. The Progressive party held but few, although it could avail itself of the services of many ex-officials. It was the Republican party which held most of the national offices all over the country, and yet was heavily defeated. It has become clear that the voters distrust the presence of office-holders in nominating conventions, and dislike political machines made up of office-holders. All civil service reform leagues and associations cordially welcome these manifestations of political sagacity on the part of the voters and their appreciation of the merit system as means of destroying the money-power of the boss, the machine, and the wire-pulling politician.

Finally, this League must steadily try to bring home to the whole people the principle that reform in the civil service is the fundamental reform on which all other improvements in national, state, and municipal administration depend. More and more the functions of every governmental administration become sound business functions, which require for their effective discharge honest, intelligent, and well-trained administrators and servants. Inefficient, dishonest, wasteful, and unskilful servants cost the community heavily in health, comfort, industrial productiveness, and the genuine satisfactions of life. Only a merit system of appointment and promotion can produce a service capable of maintaining and increasing the public welfare and the common happiness. Only a merit system is consistent with rational democracy.

## Address

HONORABLE SIMEON E. BALDWIN, GOVERNOR OF THE STATE  
OF CONNECTICUT

It is now thirty years since Congress took the first real step in civil service reform.

John C. Calhoun had said, in 1835, that whenever the federal office holders should come to exceed 100,000, the people could not resist them for six months and the friends of liberty might surrender in despair. He did not give credit enough to the good sense and practical shrewdness that help to make up American character. During the next half century the number of federal office holders did rise above 100,000, but the friends of liberty did not sink in despair. They rallied to the support of the cause of which this League was and is the chief exponent, and carried through a statute which, on the whole, has proved a remedy reasonably sufficient, although the list of such positions now includes about 400,000.\*

The "merit system," however, as applied to examinations, can never be a test of moral character, and high moral character is almost the greatest thing to be desired in a government official. Education does not presuppose it. Education can do little towards creating it.

The Chinese, since a time long before the Christian era, have made the Confucian ethics a main subject of instruction, and that proclaims the Golden Rule. They have also had an exacting system of competitive examinations, as respects candidates for public office. Until recently it was largely confined to what Confucius and Mencius had taught. Nevertheless, the Chinese office holder has been generally corrupt; often inefficient; always fossilized. He could recite an abundance of Confucian texts, in praise of virtue; but his virtue was for

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\* 391,000 on June 30, 1911, of which 227,000 were subject to civil service rules.

sale. He was familiar with that which declares: "Let a man who is living in the present age go back to the days of antiquity, and on the persons of all who act thus calamities will be sure to come," but to him the ways of antiquity were the only intelligible ones.

We have a good deal to learn from the history of China as to modes of preparation for the service of government. Examinations, though honestly and impartially conducted, have often proved a very insufficient test of fitness. Public examinations have no solid basis, unless supported by public education. Under the apprehension of failure in them, proficiency in good manners can be attained by memorizing a book of rules, but no such book can inspire energy and power in the discharge of official duty. The man who ranks highest in the examination room may be the man who ranks lowest in capacity to fill a public station well.

But with all this, President Martin of the Imperial Tungwen College has given it as his opinion that her system of examination has "done more than anything else to hold China together, and help her to maintain a respectable standard of civilization." \* It had great influence in re-shaping, sixty years ago, the modes of admission to the civil service in Great Britain. It has had great influence with us; in one respect, I think, too much. It has tended to make us put undue emphasis on the worth of examinations, as compared with other sources of information for ascertaining a man's general ability and character.

To avoid the chance of favoritism, we may have gone too far in binding ourselves so strictly by their result. A man may come out first because he has a knack at cramming, or has been particularly well "coached," who has little else to recommend him. It is certain that, so far as may be, more weight should be given, in official appointments generally, to natural gifts than to acquisitions from education. They have a deeper root, and bear more fruit.

This fully justifies our departure from the Chinese

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\*A Cycle of Cathay, 43.

practice, by declining to examine all who apply. It is proper, and in many cases even necessary, to exact a written recommendation of each, by some one who knows him fairly well. For similar reasons, when the final reasons have been sent in, we must allow considerable latitude in the ultimate selection, so that men whose rank in the examination was lower than that of some of their competitors, may be nevertheless preferred above them.

So we are wiser than the Chinese, in admitting to many offices, absolutely without examination.

The notion of a caste of office holders is happily foreign to the American mind. It can hardly do, for instance, so much as to inquire into the reasons for the Chinese rule that no one can be a public officer who has ever occupied a menial position, or whose father, grandfather, or great grandfather ever occupied one. To exclude those who had not passed a certain kind of examination from all appointive offices, would be like excluding all who were not college graduates. It would often put a man in a confidential relation to another, whose confidence he could not command and did not merit. To elective offices any such rule would, of course, be, in its nature, inapplicable. The choice of the people must be free.

What is the future of this League?

Our proper field, as a national body, seems to me necessarily limited. It must be confined to the promotion of the spread, the insistence on the truth, of our general doctrine, without urging uniformity in detail. There are civil service measures that might suit the traditions and ideals of one state or city, and yet be utterly incompatible with those of another. There are others that in the same locality would meet with acceptance with some and rejection by others. Our usefulness is jeopardized unless we refrain from making specific recommendations for particular kinds of legislation, as to the expediency of which, in the jurisdiction to which they would appertain, there may be an honest difference of opinion between well-informed and fair-minded men. We shall always do our best work in keeping alive the public interest in our one

central principle—the preservation and advancement of the merit system for public office.

The State Associations may particularize. We are strongest in generalization. But all friends of a better civil service must be on their guard against the endeavor to make examination papers too exacting, or too stereotyped in purpose. Over a hundred and five thousand persons were examined in the year ending June 30, 1911, for positions under the United States. Seventy thousand of them, or roughly two-thirds, attained a pass stand. This speaks on the whole well for the practical character of the tests made. Some offices call for a well-stored head; others look primarily for a man with strong arms or a good pair of legs.

In June of this year we adopted, in Connecticut, a civil service act which is in general conformity to the principles to which I have referred.

It exempts from examination, besides officers elected by popular vote, all appointees of the Governor, or legislature, or either branch of it; all election officers; heads of departments; court officials; all domestic servants and unskilled laborers, and inmates of public institutions, to whom the superintendents may assign minor duties. In regard to this I may add that we have a practice of employing in such ways some of the insane in our asylums, the inmates of our old soldiers' home, and the convalescent patients in our hospitals. A small compensation is allowed in some instances. The result has been better health for those so employed, and a saving to the state in wages that would otherwise have been paid to others.

The civil service commission has discretionary power also to exempt the first assistant in any executive office, private secretaries or stenographers, and physicians in public institutions.

The purpose of the act is declared to be to select and promote with a view solely to the man's proved ability to perform the duties of his position more efficiently than any other candidate therefor.

The rules of the commission are subject to the approval of the Governor, except as otherwise provided.

It is so provided that all promotions shall be made

from a list of not more than three, prepared by the commission, and consisting of the three who ranked highest on a basis of merit in service, seniority in service, and a special test, similar in general to that prescribed for original applicants. All appointments are on probation for a certain period of time, at the end of which the appointing authority can discharge the appointee at will. He cannot afterwards be discharged except for reasons satisfactory to the commission.

The conditions governing original appointments are not laid down with quite the same precision employed with reference to promotions; a considerable latitude in framing rules applying to this subject being allowed to the commission. It is to prepare a register of those found, on suitable tests, eligible to appointment. To be eligible, candidates must take a certain pass stand; and the list puts them in the order of this rank in examination. Only those are admitted to examination who come within the rules of the commission as to residence, age, sex, health, habits and moral character. The tests must be practical and may include such as bear both on mental and physical qualifications.

No test is to be required of any who are already in the state service, and have been for not less than six months. For those who have served for a shorter period only, a pass examination may be prescribed.

The commission is composed of three persons appointed by the Governor, not more than two to be members of the same political party. The term is six years, one-third going out biennially. They receive their necessary expenses but no pay. Their secretary, who is the chief examiner, has a salary.

It has been said that the great distinctive feature of modern times is the mastery of the state over other forms of social organization. In early ages the family had been the master in control; a little later the church had dominated; now it was the state.

It has therefore become doubly important that those through whom the state discharges its usual functions should be capable for that work. Civil service reform,

as an aid in that direction, has an increasing value every year.

The number of placemen serving the United States has grown of late fully in proportion to the extension of national legislation into new fields. Some bureaus now do more work than departments formerly did, and work affecting more closely the individual citizen. Our reputations, our business, our liability to suit by the government are vitally affected by inquiries and reports of special investigators holding subordinate positions.

Those who act on these reports can generally have little or no personal knowledge of the character of the men to whose doings and affairs they refer. The country has become too vast and populous for such knowledge, in ninety-nine cases out of a hundred, to be so much as hoped for. It is coming to be the same in the larger states.

Under these circumstances, the greatest safeguard of the American people against injustice suffered from undue governmental interference with their daily life, is a judicious and intelligent selection of civil servants. If there be a better way of accomplishing this, than that for which this League and the affiliated societies in the different states exist, I do not know it. What we have won we must be vigilant to keep. The great object of endeavor, always and everywhere, is that there shall be no backward step.

## The Growing Functions of the State and How They are to be Met by the Merit System

HONORABLE GARRETT DROPPERS, MASSACHUSETTS CIVIL SERVICE COMMISSIONER.

Our forefathers of the Revolution were uncompromising in their opposition to the arbitrary interferences of government. Living under relatively simple economic conditions, in which the first and almost only duty of every citizen was to conduct his work with industry and economy, they resented the meddling of a complicated and semifeudal government, widely removed from them. So far as the Revolutionary fathers could judge from their own experience, they wanted but little from the government—hardly more than a few simple rules for the administration of justice. They distrusted the executive and after the Independence gave the executive as little authority as possible, relying mainly upon a legislature made up of representatives of the people to secure them in their rights. John Adams voiced the aspirations of his time when he declared that "Government is a plain, simple, intelligible thing, founded in nature and reason, quite comprehensible by common sense."

In the opinion of the fathers the elements that entered into the structure of a progressive society were simple and comparatively few. These were: the largest amount of individual energy and self-interest, only a minimum of government to interfere with the individual activities, administration reduced to a few comprehensible purposes and local rather than national government. "To make a man and let him be, that's the American idee."

During the period of the formation of the Constitution there was some slight reaction from the original view, but there always remained a strong undercurrent in its favor. Public opinion did not favor an increase of government services. The internal revenue system of the government established in Washington's administration



was abolished by Jefferson, and thereafter, with the exception of a brief interval during the War of 1812, was never again a part of the taxing system of the United States until the outbreak of the Civil War. The Second United States Bank, which, though not a Government bank, received its charter from the Federal government, was abandoned in 1837 and the business of banking, whether of notes or of deposits, was left to the tender mercies of the separate states. In 1846 the Independent Treasury System was devised, removing the government moneys entirely out of the channels of ordinary banking and business. The constitutional objections to a policy of internal improvements by the Federal government gradually strengthened, the system of duties on foreign goods was greatly simplified and the Federal government was at last reduced to its most elementary functions.

It may be supposed that as the Federal government withdrew from its various activities the state governments became stronger and exercised many of the abandoned functions. But this conclusion by no means follows. The states were under the same influences as the national government. In many instances they subsidized canals and railroads, but always with a view to making these enterprises self-sustaining and independent corporations. Even in the matter of road building we were behind European countries of the same rank and civilization, preferring to go without certain benefits than to exercise the direct powers of the state or to secure certain utilities by expenditure of the people's money.

From the year 1846 to 1861 we may take it that so far as perfection can be attained at all in any ideal of government an almost complete realization in the United States of a certain ideal of government was attained. There was a normal equilibrium established in the relationship between the powers of the government and the activities of the individual. As has been stated, the former were to be as few and inexpensive as possible, leaving to private enterprise the utmost latitude. The so-called voluntary activities were extolled during this period in our country as perhaps at no time in the history of the world. Private enterprise and competition were the supposed remedies of

every real and imaginary evil. When real clashes occurred in society as between capital and labor, or let us say between an injured workman and his employer, the only remedy so far as the government was concerned was an appeal to the courts. In the course of time the executive and the legislature had but little business on their hands, but the courts were always overworked. It is for the reason that we distrusted the executive branch of the government, the only power that can accomplish anything, and refused to let it perform its necessary functions, that the judiciary and what is vaguely called legalism have been so abnormally developed in this country. The United States has more lawyers and courts per capita than any other civilized country and today this profession is curiously regarded for the most part as a not unproductive industry. The American people during this earlier period believed that they had a superior form of government to that of European nations. They believed that they were free and would remain permanently free from those puzzling industrial, social and political problems so disturbing to the more complicated society and politics of European nations.

It is scarcely to be wondered at that under such a theory and practice of government the idea of a permanent class of office holders was repellent. Government touched the affairs of so few individuals and had so little connection with the concerns of the people that the government service did not require a body of permanent or trained officials. All initiative and progress were supposed to reside in the individual—far better that he be called from the ranks to perform temporarily this official task than that we run the risk of having a body of bureaucrats who might secure power and thus interfere with the free activities of the people. An official class was deemed to be inconsistent with the ideals of a free democracy. Hence, rotation in office—or the spoils system as designated by its enemies—was the logical outcome of a political ideal,—an ideal that the functions of government were after all incidental and negative, rather than substantial and constructive.

This idyllic period of American democracy was rudely disturbed and in a measure crushed by the Civil War. During that eventful struggle the activities of the Federal government were immensely increased by the necessities of the war. The internal revenue system and the national banking system were introduced. Both placed new burdens upon our government and required an increase in the number of officials. But this was only the beginning. Step by step after the Civil War was over the Federal government added functions which were in no wise the direct result of the Civil War. There was a slow but no less sure transformation in the political point of view. The government made appropriations in aid of scientific agriculture. It undertook works of reclamation and irrigation. It established a policy of conservation. It entered the field of public health and finally undertook the task of regulating the great public utilities. Today we have a vast Federal machine, some of us may think even excessively so, that either investigates or regulates or executes a great number of functions in behalf of the public welfare. So far have we departed from the earlier conception of an attenuated government and *laissez faire* that by the year 1887 Henry C. Adams could take the position that "government activity and individual activity were both real co-ordinate functions of a growing society." And Francis A. Walker, who had started with a strong belief in *laissez faire*, so far modified his position that he was able to declare "a large practical gain to the order of society would in the long run result from the interposition of the government."

Nor has this extension of powers been confined to the Federal government. Our state and city governments have multiplied their duties and activities in almost the same proportion. All the more advanced states of the Union are not only passing legislation affecting the welfare of the public, but actually administering by authority of officials large duties that to a greater or less extent affect the property and persons of the state. The process has gone on so slowly and gradually that many people are still hardly aware of the extraordinary change that has overtaken American society in recent years. Yet it

amounts almost to a revolution when we compare it with the earlier state of affairs. In respect to all these new forces Massachusetts, while not perhaps occupying the foremost place, is very near the front rank. One of the very latest evidences of the increase of the state functions of Massachusetts is the law providing compensation for industrial accidents. To administer the law the state has established a board with a full equipment of investigating officials. The existence of a branch of the government with such extraordinary powers would have been extremely obnoxious to the Americans of a century ago.

The government of our cities and towns has become more complicated and expensive. As our population has increased and our urban centers have become congested all sorts of evils demanding the interference of the government have become manifest. The number of municipal officials has steadily advanced and in addition to the regular force of officials we have today a large number of men and women who are giving their best intelligence and energies to the work of social welfare, but remaining entirely outside of the official ranks. Nor are the signs propitious that we have reached the limit of this tendency. If one will but look impartially at the political situation he will observe that there are pressing demands for other measures of social betterment, all of which will serve to emphasize the fact that the functions of government will never again diminish. This is not a characteristic peculiar to our American society. The same tendency is observable in all civilized countries. It is a complete change of front from the point of view prevailing a century ago. The government instead of being regarded as an instrument of oppression is now regarded as a most powerful weapon in behalf of individual and social welfare.

All this is by way of a long preface to my limited and humble theme.

How in a democratic society in which all power lodges ultimately with the people are the men and women to be chosen who are to administer these large and growing responsibilities? They cannot be elected to office by the direct votes of the people, for such a process is every-

where recognized as impossible. It would swamp the capacity of any constituency. One could not see the woods for the trees. Nor can we rely upon the authority of a recognized class to suggest such appointments, an arrangement that still obtains to some extent in some of the countries of Europe where appointments to certain offices are often made by a small group of men who hold their power by virtue of birth or wealth. Least of all can we rely on the ancient *laissez faire* device of rewarding party workers. This method, which may have operated successfully under the negative system of government of a century ago, is utterly at variance with the modern interpretation of the province of government. The spoils system would serve to corrupt the administration and in the end to alienate public sympathy from all these measures. It would fatally injure the cause of welfare legislation.

Each one of these methods of selecting administrators has its advocates and something may perhaps be said in defense of each. Yet in the final result it will be found that the method is either wholly inconsistent with the spirit of American institutions or fatally defective in respect to efficiency, honesty or economy. The true solution of this difficulty must be in harmony both with democracy and with efficient administration. The tax payers must secure an adequate return on their outlay and the people must be assured that no special privilege will be granted to an individual or class. To secure both of these results there is but one method, namely, to enlarge the scope and purpose of the civil service system, making appointments that are based on experience, intelligence, character and energy. The public service should offer a career to any man on the same terms that a private profession or business does. It should reward those who are ambitious to serve the public in the administrative work of the government, without regard to party affiliations or party designations.

So far the civil service has accomplished a good deal for public decency, but, it must be confessed, the system has fallen somewhat short of the expectation of its earlier supporters. Despite the fact that solid advantages

have been secured, there is a sense of disappointment that the results have not been more decisive. But the remedy, in my opinion, is not far to seek. We have restricted for the most part the ambition of civil service appointees to the mere routine work of government. The higher ranks of the service are still in the main to be filled by political appointments, with the result of artificially stimulating political workers and of depressing the rank and file in the service. The net result is undoubtedly a loss to the public service. As an illustration of the waste and inefficiency of the spoils system we have but to consider the present method of appointing postmasters. At each change of administration in any one of our cities a half score of men waste time and energy in securing signatures, manoeuvring for position and inventing devices so as to secure this office. Generally the successfully candidate has no experience and is not in any sense conspicuously fit, yet the character of this office has vastly changed even in recent years. In the near future the post office promises an enormous augmentation of business and if this result follows we have the right to assume that postmasters must be men able to conduct large business affairs, and familiar with the character of postal work; in other words, that they are first-rate administrators. Why should not the chief directors of our post offices in our cities and towns be men who have been trained to the business? Why should the ambition of the whole force under civil service be restricted to the lower offices?

Publicists in this country have pointed out that a fair division of the public offices may be made into two groups; the first, political, having to do with public policies and principles; the second, administrative, having to do with the execution of policies and of the business of the government. While there may be some overlapping between these two classes, yet the line of demarcation between them is fairly distinct. The latter offices should be established as far as possible on a civil service basis and appointment even to the foremost rank be open to those in the service who have the skill to fill them.

The conclusion of the matter is, that we must meet

the demands of the coming day in a competent fashion. It will be admitted as beyond question that the administrative work of government is done more effectively in European cities and states than in those of this country. To some, our deficiencies are an inevitable fault of democracy, but one generally finds such critics anti-democratic in nearly all their views. To others this defect is regarded as a result of pioneering conditions in the United States which will pass away when we have attained the advantages of age and experience. In truth the cause lies elsewhere. While the facts of government have been revolutionized within recent years in this country, we still cling to the remnants of an outworn conception of government of a century ago. We are unwilling to organize the administrative branches of our government so as to secure effective work from the administrators. When the public becomes clearly aware of the revolutionary change that has occurred in the nature of our government then it will demand most of all a body of men who will follow the work of administration as an honorable career and not as a reward for party success.

If I have correctly outlined the altered conditions that now confront the American people, it must be clear that the scope and purpose of the civil service commission must be definitely broadened. I do not propose to discuss the finer points of this question. It is sufficient to note that the civil service examinations must cover subjects never before touched upon. Hence the need of a large force of trained and practical examiners. The question of adequate examinations—examinations that will really test the candidates and serve to bring to the front a competent and broad-minded body of administrators who see their duties as part of a large scheme of social amelioration is of fundamental importance. How are we to secure men who are able to pass on proper housing conditions, to examine machinery and safety devices or to decide whether conditions of sanitation in our factories are adequate? Merely to put the question indicates the difficulty. Nor do I propose to enter into a discussion of the question how far examinations are necessary in the upper grades of the service after the candidate has completed

a certain amount of training. It may well be that written examinations after preliminary tests have been passed are unnecessary and that appointments should be freely made by heads of departments. The point I wish to emphasize is that the old order of political appointments is more than ever an anachronism—even more so than twenty-five years ago. If we wish to put our country on a level with the most advanced nations of the civilized world we must secure a body of administrators who will look forward to a life of official activity. Advancement in the service must be based on merit and not on political pull and no arbitrary limit should be placed on the career of a faithful public servant. Only in this way can the American people hope to realize their present ideals of public welfare or attain an enlightened social state.



## Preliminary Report of the Special Committee on Removals in the Civil Service

### Introduction

The subjoined draft of a report on removals in the civil service has been under consideration by a Special Committee on Removals of the National Civil Service Reform League, and, in the belief that it contains valuable and constructive suggestions for the working out of this difficult problem, which has been the subject of argument and debate since the passage of the first civil service law in this country, it is, with the authority of the Council of the League, published for the purpose of serving as a basis of further inquiry and discussion. It should be fully understood that this is merely a preliminary report by the Committee, which has been received by the Council without approval or disapproval by that body, and that it will be made the basis of further study by a committee which is to report to the League at its Annual Meeting at the end of 1914.

Respectfully submitted,

ROBERT CATHERWOOD,  
JOSEPH P. COTTON, JR.,  
HENRY W. SPRAGUE,  
ELLIOT H. GOODWIN, Chairman,

Briefly to review the position of the League, it started out with the doctrine, so epigrammatically announced by Mr. Curtis, that if the front door was properly safeguarded, the back door would take care of itself; in other words, where the merit system was in force there should be no thought of restriction upon the head of department in the exercise of the power of removal.

We are not aware of any other position being formally adopted by the League until 1897, when it approved the new rule in the Federal service issued by President McKinley, which, in substance, required the statement of

reasons and an opportunity to reply in writing. In 1905, when President Roosevelt modified this rule by taking away the opportunity to reply, a committee on removals was appointed, which recommended the restoration of the rule, pointing out that the head of department retained full discretion as to removal after the procedure had been complied with and that this, therefore, was not a restriction on removal, but rather a requirement for an orderly procedure and a record in cases of removal. Since that date the League has not changed the stand then taken.

Looking at removals from the administrative side, however, we find matters have progressed much more rapidly. The first commission under the law of 1883 recommended a procedure requiring reasons and an opportunity to reply, and this recommendation was repeated frequently afterwards and once at least while Mr. Roosevelt was a member of the commission. This procedure was inserted in the New York charter. Members of the classified service in police and fire departments acquired a right to trial, and this has been slowly extending to other branches, accompanied with a greater or less right to review of removals in the courts. Veterans of the Civil War as a preferred class acquired years back in some jurisdictions a right to trial and review by certiorari, while in New York this has been extended to veterans of the Spanish War and veteran volunteer firemen. Civil service reformers in Chicago drafted, and have always stood by a civil service law which provided for a hearing before the civil service commission itself on removals, and some other western commissions have gone far in the same direction. In the Federal service in 1912 the procedure which rested previously upon Executive order was made statutory for all classified competitive employees, so that it will be impossible for the courts to rule in the future, as in the past, that they had no jurisdiction to review on the ground that the rule was purely executive and only to be enforced by executive authorities.

There has been a growing feeling on the part of civil service commissions that the procedure advocated by the League in 1905-6 is not adequate and the commission

should be given greater jurisdiction in matters of removal. This view has been shared by some of the leading civil service reformers. Decisions of the courts as to the extent to which they would review the action of the head of department in making removals under this provision have differed in various jurisdictions and some of these decisions have been extremely unsatisfactory. The clearest decision as to just what this clause means has been given by the Court of Appeals in New York in the case of *Kennedy vs. Brady*, supplementing and superseding a line of previous decisions. In brief, it was held that if the alleged cause for removal was sufficient in the judgment of a reasonable man to justify removal and the procedure had been strictly adhered to the court would not review. This leaves the serious loophole that an unscrupulous head of department may remove a classified employee at any time by a false charge, for the court will not inquire into the truth of the cause alleged.

Chicago, with its commission acting as a trial board, did not achieve success for many years owing to the fact that the commission regarded itself as a court, adhered to a considerable degree of legal procedure and legal presumption, permitted to some extent the head of department to be put on trial, and allowed counsel and witnesses, so that trials would drag on in perfectly clear cases of misconduct, until this method came into considerable disrepute. But for several years past the Chicago Commission has regarded itself as an administrative board or disciplinary board—not as a court. It seeks prompt action in the interest of good administration and efficiency, uses its discretion in allowing counsel and witnesses, gives to the administrative head of department the presumption he is entitled to and grants to the employee his day in court. It avoids the baneful results on discipline which come from having an employee who has been removed by the head of his department reinstated by a co-ordinate branch of the administration by requiring the heads of departments to submit merely specifications regarding inefficiency or misconduct without any recommendation as to penalty, the commission itself finding in

the first instance what penalty, if any, should be applied. This change in policy has had strikingly good results and seems to point the way toward a more satisfactory solution of the difficult problem of removals in the civil service.

The procedure advocated by the League in 1905-6 has earned some disrepute through reviews by the court wherever they have been granted, principally because of the long delays involved, during which time the head of department cannot fill permanently the place of the man removed, while at the expiration of the case the city or the state may be called upon to pay doubly for the service performed during the interval, once to the person appointed to fill the vacancy and a second time to the man whom the court has found to have been unjustly removed. Again the very frequent review by the courts in the case of policemen and firemen and veterans of various classes, with like direful results to good administration, have inevitably been confounded in the public mind with the administration of the merit system.

All the above is submitted as reasons for the League seeking to take a new position in the matter of removals, but the most pressing one is yet to be mentioned—the activity of the employees themselves with the results they have obtained. This activity is present in all civil service jurisdictions.

Employees naturally seek permanency of tenure. Their numbers give them great political weight and they have made the most of the injustices existing under present systems of removal. Where there has been no procedure required it is not difficult to find individual cases of arbitrary removal for political or personal reasons. Where the system advocated by the League in 1905-6 has been in force individual cases of unjust removal have occurred in the Federal service and elsewhere because the rule permits an unscrupulous appointing officer to remove a man on charges which are not true. This has been used to great effect with members of the legislature and with the public.

Working with such weapons, the organized employees have obtained in Massachusetts a provision giving them

on removal a right to public hearing and to answer charges either personally or by counsel, against the opposition of the Massachusetts Civil Service Association. In Congress in 1912 they succeeded in having the removal rule made statutory against the opposition of this League. In New York for several years past a bill has been pending which would give to the ordinary competitive employee the same right to trial and review by certiorari now enjoyed by the veterans. This bill passed both houses in the last session and was only defeated through a veto by Governor Sulzer. It is by no means killed. In other jurisdictions there has been a decided tendency to increase the restriction on removals.

Unless the League is led to change its position and to seek the enactment of laws or rules which go further in the protection of the employee against unjust removal, it will see the passage of laws that are fatal to efficiency granting court review passed in one jurisdiction after another. On the other hand, this tendency can be offset and defeated if the League and its affiliated organizations would advocate a procedure on removal which meets the obvious and telling objections to the procedure that it advocates.

Laws granting court review are fatal to efficiency and wholly wrong in principle. Their passage has come about through the fact that administrative courts are not recognized in this country and through the failure to perceive that removal is as much an administrative function as appointment.

In appointment under the civil service law the commission performs a function formerly regarded as of a quasi judicial nature when it decides whether a particular position shall be subject to competitive examination or not. Since 1894 the New York State constitution has declared that a position should be classified as competitive in every case where competition was practicable, and it was at first supposed that in the last analysis the question of practicability would be passed upon by the courts. The early decisions followed that direction, but in later years the highest court, after squarely reversing itself, laid down the rule which still obtains that the commission in fixing a classifi-

cation performs an administrative function; that its decision will not be subject to review if based on reason, evidence and experience, whether the court agrees with its finding or not, and review can only be obtained through writ of mandamus. Although contrary to their original purpose and expectation, civil service reformers in New York were pleased with this decision when it finally came, for they had found by experience that the commission as an expert body was inclined to give a greater scope to competition than were the courts. Finally, the advantage was recognized in securing a prompt decision of administrative questions, which allowed heads of departments to proceed at once in organizing or reorganizing their departments.

These facts have a significance for the handling of removals. Removal, being an administrative function, should be handled by an administrative body. Judicial procedure, judicial appeal and judicial presumption should have no place in it. A court must apply full judicial procedure to every case and it has no choice but to sustain the appointing officer or to reinstate the employee. Where it has found that removal was not justified it cannot do less than order the full reinstatement of the accused, although it may believe he was to some extent at fault and deserved punishment.

Under court review of removals, the position of the head of department will be pitiable. A power to remove subject in every case to review by a higher authority, with the chance that the employee whom he has charged and removed will be reinstated against his will and become a sore spot of insubordination in his department, is of no value at all as a measure of maintaining discipline. Court review means the trial of the head of the department as well as the removed employee, and under such circumstances the ordinary head of department cannot be expected to make removals even in flagrant cases.

The plan submitted below is for an administrative board, which was arrived at after the study of the system of court martial and the Chicago system of removals.

## **Draft of a Plan for the Regulation of Discipline in the Competitive Service**

1. **Disciplinary Board.** A disciplinary board shall be made up of at least three persons as follows: (a) three civil service commissioners; (b) at least one civil service commissioner (or a representative of the commission appointed by the commission) and also a representative of the legal department and a representative of the competitive service of at least equal or higher rank than the person against whom an offense is alleged, both such representatives to be selected by the civil service commission.

2. **Offenses.** Except in so far as specified by law, the civil service commission may determine what shall constitute inefficiency, offenses against discipline or good behavior and may fix as penalties reprimand, to be made a matter of record, fine, not exceeding thirty days' pay, or suspension without pay for a period not exceeding thirty days, or both, reduction in rank, grade or compensation, or removal from the service. In fixing the penalty the commission shall take into account the previous record of the person charged with an offense.

3. **Cognizance of offenses.** The commission may take cognizance of offenses when occurring under the notice of the commission itself or any member thereof, or of any member of its staff, when called to its attention by a citizen, or when specifications are presented to it by the superior officer of the alleged offender. It shall be the duty of each superior officer to report to the head of department and for the head of department to report to the civil service commission any inefficiency, dereliction of duty or misconduct on the part of a subordinate, and failure to perform such duty shall constitute an offense when committed by a person holding a position in the competitive service and shall constitute sufficient cause for removal when committed by a superior officer holding a position outside the competitive service. No superior officer in reporting to

the commission inefficiency, dereliction of duty or misconduct on the part of a subordinate in the competitive service shall submit any recommendation in regard to findings or penalties in connection with the specifications transmitted.

**4. Functions and powers of disciplinary board.** The disciplinary board shall sit as an administrative board to receive and act upon specifications and complaints against officers and employees in the competitive service. It shall keep such record of its proceedings as it may deem necessary to good administration. The complaint or specifications shall be read to the person against whom an offense is alleged and he shall be permitted to make such explanation as he desires to submit, except that the board may rule out such matter as it may deem irrelevant or immaterial. If upon the completion of the explanation the board is not ready to make a finding, it may, in its discretion, permit the employment of counsel or may summon witnesses to testify as to particular points, but at any time after the explanation has been completed the board may declare the hearing closed and proceed to a finding.

**5. Finding and penalty.** The findings of the trial board shall be final when approved by the civil service commission, which shall have the power to modify, increase or diminish the penalty recommended by the trial board, if any, provided that the action of the commission in recommending removal from the service shall be subject to the approval of the mayor (or governor in state or head of department in Federal service), who shall, in his discretion, have power to reduce the penalty.

**6. Suspension.** Upon taking cognizance of a complaint or specification, the commission may suspend the person against whom the offense is alleged without pay pending hearing and determination, but in no case for a longer period than thirty days, and if the final determination shall be that no offense has been committed, the officer or employee shall receive full payment for the time he was under suspension.



**7. Action reviewable only by mandamus.** The action of the disciplinary board, the civil service commission and the mayor in matters of inefficiency or discipline under this section shall be reviewable by the courts only on writ of mandamus on the question whether the procedure prescribed by this section has in all essential respects been complied with.

## Discussion of the Report of the Special Committee on Removals in the Civil Service

**Robert Catherwood, President Cook County Civil Service Commission:**

Last evening President Eliot in his annual report mentioned some ten heads of departments in Chicago whom he had had interviewed; all stated they had no difficulty in removing their employes from the classified service for cause. Now, not one of those heads of departments has the power to remove his own men; removals are made by the Civil Service Commission. There are about fifteen civil service commissions in the west which have practically exclusive power of removal.

If there is one section of the civil service law upon which employes and the public, department heads and civil service commissioners, all seem to be agreed in Illinois, it is this central trial board section. It has eliminated the trouble, friction and quarreling that we see where the injustice is permitted of allowing a man to be removed by a political officer who is not an expert on the question of inefficiency.

May I ask your attention for a moment to a consideration of fundamental principles? The appeal which the merit system makes to the public lies in four chief ideals or principles.

First, it strives to attain and to assure efficiency; it clings tenaciously to the doctrine that under each and all of a long line of elective officials and a changing panorama of policies, the daily work of government must be well done; the dollar's worth of taxes must bring a dollar's work of results. It regards good administration as a necessity, as a fixed, permanent, and sacred obligation.

Second, in its promise of democracy; the teaching that public offices and places belong of right to all of the people, and not to part of the people; that victory at an election confers no rights to the spoils of office; that re-

ardless of party affiliations every man and woman in the country should have an opportunity to prove personal fitness and ability for office, to possess office and to hold office so long as he or she is efficient, without reference to the special factional and political interests, whose quarrels over patronage and whose calm assumption that they alone possess the offices have disgusted the plain citizen.

Third, the merit system promises to make popular control of the government a reality by reducing the number of elective offices to a reasonable compass—to short ballot dimensions,—including in the elective class only general political policy making offices; by prohibiting the use of public employees in elections, and by eliminating patronage contests from elections, so that voters shall be able to choose intelligently from a reasonable number of candidates and to make their views upon political issues felt.

Fourth, the merit system stands for certain employment ideals—ideals of justice towards the worker, recognition of his moral dignity, the ideal that the government should set an example to employers generally of how to be fair and just to employes.

In short, the merit system is an expression of ideals of just and efficient democracy in the public service.

Friends of the merit system have no cause to complain of the lack of popular support. Wherever the people have had an opportunity to vote in favor of the merit system, they have done so. The disappointments and setbacks have not come from the people. Often they have come from the doubt and suspicion with which civil service reformers regard their own reform. How often do bills drawn by our own associations make the partisan cat the legal custodian of the civil service cream. The constitutions of New York and Ohio expressly doubt the practicability of examinations for certain classes of non-elective positions. Our associations have repeatedly sanctioned illogical exemptions. The system has more to fear from the admissions of its friends than from the attacks of spoilsmen. We should know our principles and knowing them should deem it our duty to prepare and advocate measures for rendering them effective.

Excluding some differences of opinion concerning non-competitive classes, confidential clerks and secretaries, bonded employees, legal officers, higher executive officers and common laborers, it may be safely asserted that friends of the merit system are agreed that original entrance examinations should be free, competitive, honest and practical, and that the head of the list (or at least the first three) should be assured appointment. But there it is said the merit system should stop. It is contended that the ever changing political officers should have the exclusive right to discharge or promote the merit employee, to increase or decrease his salary, to deny him sick leave, vacation, proper hours of work, necessary tools and working systems, to allow him to draw a salary for doing nothing, to discriminate against him or to favor him above his fellows. If he is incompetent, it is said it does not concern the civil service system. Continued incompetency violates no merit principle!

It is, however, admitted that if a political officer should tamper with an examination mark or paper, he should be subject to both fine and imprisonment. He may not select his employees. But he may discharge them at once, force them into the ranks of the party in power or keep them when they are beyond all hope of usefulness. The merit system and its administrators are to stand indifferent and impotent at the front door, foredoomed to failure in each of its four great basic principles, because it dare not pass the threshold of the government house to insure obedience.

The merit system should make its principles practically effective. It should go into every room in the house, stand at both the front and back doors and at all the windows, to make its principles effective. If a department head does not want a merit system or wants the name and not the thing, so much the worse for him. The people do want it, and they want it to be genuine and effective. A department head is responsible only so far as the people desire him to be responsible. The legislature and the treasury control him; the chief executive controls him and public opinion controls him. If he is opposed to efficient service, if he prefers extravagance,

if he wishes to surround himself with personal and political friends and relatives, if he is not fair and just to the men and women under him, he should be "interfered" with and at once. The department head who violates the principles of the merit system in his department by ousting merit men, underpaying them, allowing them to idle away their time, or who by insisting upon improper hours of work or vicious conditions of employment drives men and women from the public service is far more dangerous to good government than a department head who tries to influence an examination or collect "slush" money. A system which is ineffective before the spoils system cannot long stand as a merit system.

Civil service laws deal with human beings, and we have no right to encourage a civil service commission to regard them as persons for whom they have no responsibility, after they have written so many pages of answers and have passed through the requisite yards of red tape. How is a civil service commission to know whether its examination standards of merit are right or wrong if its responsibility ends with certification?

On the other hand, a department head has a most legitimate complaint if his employees are to be selected for him by a body which is not concerned in their future efficiency, and which cannot make removals to rectify its own mistakes. The department head is a political officer and as such is open to suspicions, pressure and avenues of attack in removal cases from which the civil service commission necessarily is free. If the troublesome question of removals is handled automatically as an integral part or *continuation* of the merit system it ceases to be troublesome. In the civil service the real question of fitness from a practical point of view is not whether an employe was fit at the time of examination, but whether his fitness continues from day to day as he does his work.

The same reasons which lead us to reject an applicant who fails to pass an examination above the minimum standard apply equally to the necessity for removing an appointee whose deficiency has deteriorated below the same standard. If it be true that a department head should remove his merit employees according to his own

standards, or lack of standards, it follows that he should examine and select them according to his own standards or lack of standards. The reasons which justify "interference" in the selection of employees equally justify "interference" in the removal of employees. If the question of initial fitness is a technical question requiring the expert training and impartial hand of specialists operating under rules uniform for the whole service, so, too, is the question of continued fitness. Logically and practically the two questions should go together, because they are essentially one and the same thing.

Examinations are sometimes mismanaged. I know of no more effective way to improve bad examinations than to make the commission which held them face its own mistakes in the monthly efficiency reports and the removal hearings. Even in good examinations the appointees afterwards deteriorate. The conditions of employment into which they are thrust are often such that the real work of the administrators of the merit system lies in changing these conditions. There is no reason for spending public money in selecting a competent employee to work under conditions which are certain to make him incompetent a few weeks or months later.

I do not decry or discredit the civil service examination, that appliance of the front door, when I assert that alone it can never render effective the promise of efficiency, the promise of a democratic equality of opportunity, the promise of cleaner politics, the promise of effective popular control over government, or the attainment of ideals of justice towards the worker which constitute the merit system and which give it life and vigor in the estimation of the public.

It seems, therefore, vital that we should advance along the lines laid down in this report. Though there are minor details that I think could be improved, I am heartily in favor of the report.

## Report from the Special Committee on Reform in the Consular and Diplomatic Services

In its last report to the League, in 1911, this Committee summarized the facts in the history of the effort to reclaim our foreign service. The progress made up to that time was marked by three notable achievements: First, the passage of the consular reorganization act on April 5, 1906, which classified, graded and regulated the consular service; second, President Roosevelt's Executive order of June 27, 1906, providing for the selection of consuls general and consuls, and for examinations for entrance into the service; and, finally, President Taft's order of November 26, 1909, governing in like manner appointments and promotions in the diplomatic service, and for the improvement of the personnel of the department of state. Although the Executive orders did not provide for an open competitive merit system, and although considerations other than merit and fitness in the selection of consuls and diplomatic secretaries were not entirely eliminated by these orders, it is an unquestioned fact that the examinations have been kept up to a high standard and the personnel of the foreign service has been materially improved.

The security of the system, however, rested then, as it does now, entirely on the will and courage of the President. Efforts have, therefore, been made to give the Executive orders the permanent force and effect of law through statutory enactment; but these have uniformly failed. At any time, and particularly upon a change in administration, there was grave reason to fear that the gains already made would be lost, in part or in whole, through political and personal pressure to let down the bars for the entrance of favorites.

What would be the course of the present administration in this matter was, therefore, a subject of grave concern, not only to organizations like this League, but to the business interests of the country and to every citizen

who hoped that there would be no return to the conditions which so long made our foreign service a national disgrace.

This Committee can now report that the principle of the Roosevelt and Taft orders and the practice under them have been rigidly adhered to by President Wilson,—a cause for profound gratification. An examination of appointments to the consular service and to secretaryships in the diplomatic service since March 4 shows that without exception the appointments have been in entire keeping with the Executive orders.

In the consular service 22 consuls general and 50 consuls of various grades have been nominated. All these changes have been either promotions or transfers or original appointments after examination. Thirty changes have been made among secretaries of embassies and legations. In all cases the appointees had been in the diplomatic service for several years and were either promoted or transferred.

This record is admirable. In the face of great pressure on the present administration to overthrow the system, and in spite of attacks made openly in the Senate by members of his own party, the President stood by his determination to maintain the principles and practice of the orders of his predecessors. The gain thus made is so great that it may be ranked next to the issue of the orders themselves, as another step toward the permanent reclamation of these parts of the foreign service. It is indeed hard to believe that any future administration will dare to assume the responsibility of overthrowing this system.

The work which now lies ahead is in the direction of strengthening and improving the system and of giving it greater permanence through legislation with provision for such a proper grading of diplomatic secretaries as we now have for the consular service.

Great as must be our satisfaction, in view of the President's course as to the consular service and diplomatic secretaryships, there have been many changes made among ambassadors and ministers in these nine months, of such a character as to cause genuine regret to those



who hoped for a merit tradition to be established in these higher positions. Such a tradition would tend to insure the selection of men of real fitness as foreign representatives, though, of course, without any formal examination.

It is a fact that under President Roosevelt and President Taft an effort had been made to establish such a tradition, for some posts at least. With this idea in mind, several legations, including many South American and Central American and some European posts, had been filled by men of long diplomatic experience. Manifestly, if this principle could be permanently secured, the foreign service of the United States would offer opportunity for a real career in diplomacy, the effects of which would be felt all through the lower ranks, because of the inducements thus held out to young men of superior qualifications and high ambition to enter the junior grades.

An examination of changes in these high offices since March 4 shows that this policy has not been followed, in that experienced men have not been continued in the service. That might have been expected, as following precedents of previous years. What is more serious, and might have been avoided, is their replacement by men without experience in diplomatic affairs.

Up to November 20 the resignations of 22 out of 35 foreign ministers had been accepted. Thirteen of the men so dropped had gone through several years of diplomatic experience, and in several cases their appointments as ministers had been manifestly promotions for merit. None of the 22 new appointees has had any experience in the service. Among the ministers thus displaced, who had risen to their posts from lower grades, may be mentioned James T. Du Bois, minister to Colombia, continuously in the service since 1897; Lewis Einstein, minister to Costa Rica, continuously in the service since 1903; George T. Weitzel, minister to Nicaragua, continuously in the service since 1907; Arthur M. Beaupre, minister to Cuba, continuously in the service since 1897; Montgomery Schuyler, minister to Ecuador, continuously in the service since 1902; H. Percival Dodge, minister to Panama, continuously in the service since 1899; John

B. Jackson, minister to Roumania, Servia and Bulgaria, continuously in the service since 1890; and R. S. R. Hitt, minister to Guatemala, continuously in the service since 1901. Without exception these men were originally appointed to minor positions, such as consul or secretary of legation, and in some cases entered the service through examination.

None of the new ministers appointed to succeed them can equal in trained qualifications the men they displaced. There are other men of experience in the diplomatic service from among whom it should not have been difficult to find proper representatives, in full sympathy with the Administration's foreign policies and worthy of promotion.

Study of appointments even to the higher position of ambassador shows the existence of similar conditions. The Russian embassy, for example, filled in the recent past by such professional diplomatists as John W. Riddle and William W. Rockhill and later by George von L. Meyer, promoted from Italy, has been offered to Henry M. Pindell, a newspaper editor of Peoria, Ill., of considerable local political prominence, but apparently without any special fitness for this difficult post. As to Turkey, another difficult post, the Administration accepted the resignation of Mr. Rockhill, who had been in the service almost continuously since 1884, and appointed Mr. Henry Morgenthau, of New York, a prominent and public-spirited citizen, but without experience in diplomacy, lately chairman of the Democratic national finance committee.

These things are not new in our experience. Political debts have been paid by other administrations through the distribution of diplomatic posts. A real effort, however, had been made in recent years to establish a higher ideal and a better practice for at least part of the service. That a change in administration should result in such a loss to efficient service is cause for serious thought. Harm will result from it; not only through the lack of training of our ministers abroad, but through the lack of incentive to young, ambitious and able men to enter the service in the lower grades.

It is a sign of progress that violation of the merit principle, in some of the cases cited, no longer passes without criticism. The people are becoming alive to the necessity of establishing a better system in the foreign service, for the highest posts as well as lower ones. They will soon insist on abandoning a system which allows partisanship or other considerations to govern appointments which should be made because of merit and fitness only.

This Committee recognizes that there are always difficulties in the way of providing for the diplomatic service above the secretaryships even such a modified merit system as obtains for the lower grades, and that the present administration has encountered unusual difficulties. We recognize that on occasions when there is some definite policy to be carried out with regard to a particular country, it may be necessary and proper to change a diplomat not in full sympathy with that policy. We believe, however, that it is vitally essential to a truly efficient foreign service that political influences, which still surround the higher posts, should be eliminated absolutely and for all time.

Therefore, our aim to improve and make permanent the present system of appointments in the consular service and in the lower parts of the diplomatic service should be accompanied by efforts to secure the establishment of at least a merit tradition and the higher ideals which it involves, if not a fixed merit system, for the higher posts.

ANSLEY WILCOX, *Chairman.*

## The Merit System in Road Management

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In considering the application of the merit system to the management of the public roads of this country, it may be well at the outset to present an inventory, so to speak, showing what is comprised in our public road system, and what is involved in the construction, maintenance, administration, and use of the public roads.

Broadly speaking, the public roads of the United States comprise a transportation system nearly ten times as great in mileage as all of the railroads of America combined, or approximately 2,300,000 miles. The annual expenditure on these roads is estimated at the present time to be approximately \$200,000,000. No census has been taken to show the number of officials having to deal with the management of the roads, but 100,000 would be a conservative estimate. It is thus evident that we are dealing with a public utility which is of sufficient magnitude to warrant the most serious and earnest consideration from thoughtful American citizens as well as from every unit of American government.

Aside from the question of magnitude, we must consider the public road system of the United States as the only one of the great systems of transportation which is owned and controlled by the public, and in which every tax payer, rich or poor, is a share holder. The wisdom of public ownership is a mooted point, but there can be no question that a great utility which is already owned by the public should be administered with an efficiency at least equal to the management of privately owned utilities. If this is impossible we should discover the intrinsic weakness in our system which renders such management impracticable.

As most of the original colonies were under English control and largely recruited from English people, it followed that the old common law and the various customs

of England should find lodgment in the political institutions of the new country. The result of this was that the principle of local autonomy with corresponding local control and management of roads was firmly established at an early date. When the colonies became states these laws and customs were but little changed, and in many cases they have come down to the present day perpetuating a system which now has no justification from the standpoint of either utility or sentiment. Briefly explained, this system is one of extreme localization whereby in most of the states each precinct is in charge of a road overseer who reports to a county board of commissioners with many and bewildering interlockings of other officialdom such as supervisors, trustees and superintendents. As a natural consequence the road system of each state is divided into an amazingly large number of miniature systems each independent of the other. The revenues for road purposes are largely expended in the payment of salaries and expenses of an unnecessarily large number of road officials whose duties and responsibilities are at best vague.

It seems never to have occurred to our early law makers that any particular skill or knowledge was required in the building or maintenance of roads, consequently, with but few exceptions, legislation in the various states makes no requirement that those officials who are charged with the improvement and care of the roads shall possess any distinct qualifications. In logical sequence the men who are selected for this work are for the most part men whose popularity or influence in the community is such as to enable them to obtain the office for themselves or their friends, without regard to their special fitness for the position. The roads are as a rule cared for by well intentioned and intelligent farmers who know little or nothing about road work, and who give to this public duty only such time as they can spare from their private interests.

These road officials are not required by law or regulation to give all of their time or even a considerable portion of it to road work. Nor do the laws or regulations provide for any reasonably thorough inspection or main-

tenance. The compensation which is paid to local officials is usually very small, so far as the individual is concerned but very large in a collective sense. As a consequence a further tendency is shown to consider the road as a mere side issue and to discourage the skilled and competent road builder from undertaking a work on which he could not make living compensation, and under a system in which he would have to operate with almost a certainty of failure.

Still another characteristic of our public road system is the election of road officials for definite terms of office rather than the appointment of such officials for an indefinite term. I need scarcely call your attention to the fact that very few engineers combine the qualities of a good engineer and a good politician, and it is very likely to happen that if a good engineer should seek election to office his opponent, if he is a good politician and a poor engineer, would defeat him, much to the detriment of the public.

Finally, I would call attention to the baneful influence of partisan politics and in a measure the influence of local community politics. A public road is a public utility which is a necessity to all of the people who have occasion to use it. It is a liability upon all the people who have to pay taxes for it. It is a constructive work which requires skill and knowledge and constant attention, and wherever, for political considerations, any of these essential features are ignored or modified the public must suffer. We must get to a condition of affairs where the practice of putting petty politicians in control of a vital public utility for the purpose of paying a political debt must be stopped; where the expenditure of the public money in constructing a public enterprise which is of benefit only to the politician or his immediate henchman, must be discontinued. The road system of the country must be treated as a great business enterprise and conducted honestly, wisely, and with a reasonable balance between benefits and burdens.

There are a great many people who favor improved roads, but I doubt if very many of them realize the vital significance of the good roads movement in America to-

day. Over half of our people is now concentrated in cities and towns and the city population is increasing far more rapidly than the country population. Our exports of food products have been falling off steadily until we are almost at the point where we shall have to go outside for food unless we increase production on the farm areas which are easily accessible. Isolated country churches are struggling along hopelessly in many cases because of their inaccessibility; country schools in states afflicted with bad roads show an alarmingly low ratio of attendance to enrollment as compared with the states which have reasonably good public road systems. For example, we found some years ago in five states which had an average of 1.5 per cent of road improvement, the school attendance was 59 out of each 100 pupils enrolled, while in five other states having an average of 40 per cent of improved roads, the school attendance was 78 out of each 100 pupils enrolled. Something must be done to improve the conditions of rural life, and I confidently assert that the improvement of public roads is one of the most effective of the remedies which can be proposed to better these conditions.

National aid to road improvement is one of the plans proposed, and I have no doubt this policy will be inaugurated in the near future. State aid is already well under way, and has been constantly growing since 1891, when New Jersey first embarked upon the plan of having aid granted directly by the state, and a measure of state supervision provided. Counties and states are bonding themselves to build hard-surfaced roads, and this is helping to some extent; but to my mind the primary necessity is to so reform and revise our existing road systems as to insure the efficient construction of the roads, continuous and adequate maintenance, and honest and capable handling of our road revenues.

I had hoped that when the states as units took hold of the road problem they at least would eliminate to a very great degree the baneful influence of politics, but the history of the changes in state highway departments during the past ten years would indicate that politics is as active there as in the local subdivisions. During the past

ten years there have been changes in the control of engineering work in the state highway departments of Arizona, Connecticut, Delaware, Maine, Maryland, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Washington and West Virginia. In the state of New York alone nine changes have been made in the state highway department in the last fifteen years. While it would be unfair to characterize all of these changes as unjustifiable, it is evident that the tenure of office is as a general rule insecure, that the official who should be absolutely free from political control is almost totally unable to act except at the dictates of those very forces. A conspicuous example of the short-sighted policy in effect under the political system is that of a certain state which a few years ago had a capable engineer employed as state highway engineer at \$2,500 a year. A political change took place, and this man, who had given honest and capable endeavor to the work, was ousted and a local official put in his place. The experiment did not prove successful, and the state concluded to go back to its first choice. In order to do this they were compelled to reverse their judgment, and not only reinstate the first man but double his salary.

Recapitulating briefly the intrinsic defects of our present systems of road administration, I may say that they are first, extreme localization involving the maintenance of an unnecessarily large number of officials whose duties are similar and whose responsibilities are exceedingly vague. Second, the practice of requiring these officials to devote only a small fraction of their time to the work, thereby giving to the roads an irregular and intermittent attention. Third, the failure on the part of legislation or regulation to require that the officials who have direct charge of road construction and maintenance shall possess the qualifications essential for their work. Fourth, a general prevalence of the elective rather than the appointive plan, thereby giving an undue advantage to the politician as compared with the engineer. Fifth, the limiting the time of office of road officials to definite terms rather than to the full period of their usefulness. Sixth, the influence of political considerations in determining



the location of road improvement, the filling of offices, the making of appropriations and the general conduct of the work. These defects, as I have already stated, are not absolutely general throughout the United States. I understand that the merit system governs to some extent the road administration in several of the states, notably New York, New Jersey, and Massachusetts, and there are several of the state highway departments in which the state highway engineer or commissioner is appointed by a non-partisan board, but these instances may be cited as exceptions rather than the rule at the present time, and in some of these cases, the letter rather than the spirit of the merit system has prevailed.

Having diagnosed the disease, it remains for a remedy to be suggested. That remedy to my mind is the enactment of strict and clear-cut civil service legislation applicable to the entire road system in each state, and the conscientious and wise enforcement of such legislation. In the first place, a state highway engineer should be chosen by a non-partisan board and should hold office at the discretion of such a board. All subordinate positions in the department should be filled by rigid competitive examinations without regard to party affiliations. At this point I wish to call attention to the fact that we have recently filled the office of assistant director of the United States office of public roads by such a competitive examination and practically our entire force from messenger boy to director is filled in the same way by competitive examinations. The results are infinitely more satisfactory than the old spoils system, but this fact is so apparent to all students of the subject that I am merely wasting time to restate it. In regard to county and township road work, I think it would be advisable, wherever the system of government permits, to have the county as the smallest unit of administration, and to have one official who is required by law to possess a practical knowledge of road construction and maintenance, and who is appointed after examination, to be prescribed by the state highway department in co-operation with a state civil service commission. While it would probably be necessary to give the county board of commissioners or such officials as have

charge of county affairs the power to remove this road official, they should be compelled to appoint his successor upon certification from the register of the eligibles established by the state highway department and the state civil service commission. This would prevent removal of road officials for the purpose of substituting local politicians and would tend to permanency of office on the part of competent men and to easy removal of incompetent men. There should be provided by legislation and regulation sufficient compensation for the county road officer so that efficient men might be attracted to the work. Constant employment should be given and his subordinates should be capable men supplied in accordance with the spirit of the merit system. The objection has been made to the employment of county engineers, that some counties are utterly unable to pay a salary such as a competent engineer would require. This difficulty can be overcome in two ways, first by having legislation so framed as to permit two or more counties to jointly employ an engineer, or, second, to make the civil service regulations sufficiently elastic to enable a practical and efficient superintendent to be employed rather than a high-salaried technical engineer where conditions would appear to warrant it. Only when we arrive at that state of development where we recognize in the fullest degree the necessity for the application of the merit system in road administration in every unit of government, will we attain that standard of excellence in our public roads which would make them comparable to the roads of Europe.

I hope this distinguished body will actively join in the good roads movement, not for the purpose of urging larger expenditures, not for the purpose of urging national aid, not for the purpose of developing better methods of construction and maintenance, but for the distinct purpose of seeing that this great public trust is administered for the benefit of the public and as an example of civic righteousness and good management. From the monetary standpoint alone the introduction of the merit system will effect a saving of at least \$50,000,000 a year, and I consider the monetary saving but the smallest part of the great possibilities in this movement. I would like to

see the National Civil Service Reform League represented at the Fourth American Road Congress which will be held in the city of Atlanta next October or November. I would like to see this great organization in complete charge of a session of the Congress devoted solely to civil service reform in road administration, and if anything can be done at this meeting looking to such participation, I earnestly hope that the opportunity will not be passed over.

## The City Manager Plan—Its Contribution to the Growth of a Non-Political and Efficient Personnel in Municipal Administration

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The strategy employed by the civil service reform forces up to the present time may be described in military terms as the "occupation of territory." Inch by inch the merit system has pushed its way up from the lowest clerical and labor positions, through the minor technical grades and in a few instances has pressed upon some of the real strongholds of the spoilsmen: the responsible and more or less attractive executive posts.

In later years a new line of attack has been developed in another quarter which may be styled the "cutting off of the enemy's base of supplies." I refer, of course, to the growth of forms of government which furnish so simple a method of popular control that while depriving the chief spoilsman of his occupation they have very largely robbed him of the means of feeding his hungry hordes. Such was not the case so long as the mayor and council plan with its multitude of minor elective offices was the universal type of city government. Then, the political machine was not only inevitable, but it laid claim under a colorable right to most of the executive offices, which civil service reformers are beginning to look upon as fit subjects for the application of the merit system.

In other words, the work of demolition is giving place to one of reconstruction. Not that the destructive task is by any means complete even in the cities living under the simplified forms. But as it appears to an outsider, the energies of this League will more and more be released from the obligation to combat the "machine" and the obligation will be laid upon it to create the environment and

to devise the instruments of a positively efficient personnel in administration.

The principal element in that environment with which this paper will deal is that which is contributed by a new and increasingly popular form of city government known as the "city manager" plan. This new system is a child of the orthodox commission plan in use in Galveston, Des Moines, and about three hundred cities; and for this reason it will be well to discuss it first in terms of its ancestry.

The enthusiastic admirers of the straight-out commission plan have, without doubt, over-estimated its contribution to the efficient management of cities. But of one lasting benefit from the plan we can now be reasonably certain; it has given the electors a workable method of control and has enabled them unmistakably to fix responsibility for interpreting their will in general policies. Every act of government is traceable in the last analysis to a single elective board.

This is a notable advance over anything of the kind which preceded. But, unfortunately, the commission form of government fails to carry out the principle of fixed responsibility to its logical limits. On the administrative side it actually diffuses responsibility among five men who (except in a few instances, of which the city of Houston is one) acknowledge no powerful undisputed headship. The mayor, to be sure, has nominal supervision of all departments; but when a group of men are elected by the people and vested with co-ordinate authority, it is hardly to be expected that any one of their number will be able to control the rest unless by the sheer force of personality he towers above an unusually docile set of colleagues. Such, in fact, was the case in the first commission at Kansas City, Kansas, where the moving spirit was not the mayor but a certain more able member of the commission. In the charters of some of the cities the need for a single administrative head is studiously ignored; as in those of Sacramento, Cal., Duluth, Minn., and Denver, Colo.

When such definite headship is not provided, there is always the possibility of conflicts and overlappings of

authority which cannot be anticipated in a code of procedure, but in a good organization must be left for solution to the discretion of an executive. Situations like these not only make for inefficiency and waste but create an atmosphere which a self-respecting officer or employee will not tolerate. For true responsibility carries with it not only the liability for blame but the hope of reward.

In so far, then, as the commission plan does not definitely fix responsibility within the administration, it imposes a condition unfavorable to the advance of the merit system.

But the mere fixing of responsibility is not the last word in efficient organization. It would be folly to put a longshoreman at the head of the health department and proceed to fasten upon him the blame for an infected milk supply. To be sure, he could employ an expert sanitarian, but if he lacked the sagacity to make a wise selection for this highly technical work, the whole theory of responsibility would break down. Something like this apparently has happened in the city of Wichita, where a perfectly honest, upright and popular man, but of defective education, experience and training,—an ex-street laborer—was elected to the commission and assigned to one of the departments. The city after five years of commission government has just issued \$80,000 worth of bonds to cover the current year's deficiencies. Fixing of responsibility in such a case would hardly have relieved the situation.

In the case just cited the trouble at bottom lay in the effort made to secure commissioners who would serve the city in a double capacity, first as representatives of a body of public opinion, and, second, as capable executives. The theory of commission government is that the voters will elect five men of superior general ability. Out of that number it is expected that there will be one who is by nature and training endowed with the ability to supervise the finances, another the departments of public safety, and so on. But, as might well have been expected, the commissionerships have usually gone to the vote-getters. A survey of the personnel of the commissioners in three hundred cities would probably disclose a rather

high average of men in authority, but as for competent special executives, it is hard to name a city in which one or more members of the commission is not visibly deficient.

The commission plan, of course, does not contemplate that these men shall be technically trained experts, and so it is difficult to see just the logic in paying substantial salaries to supervisors of important divisions of administration who have not at least a few criteria, a few ideals, a little perspective, by which to frame administrative policies, or to criticise those of their technical subordinates.

In practice the theory has broken down so completely that some of the best friends of the commission plan are now insisting that the commissioners be elected directly to specific posts. Instead of permitting the commission to assign one of its members to each of the departments, the people themselves will be asked to select a financier, an engineer, a public safety expert, etc. The Kansas law has been amended, to effect this change. These supposed experts must also, of course, be vote-getters, and presumably the men in the community who have devoted themselves more assiduously to the pursuit of their professions than to cultivating the acquaintance of the voters, will stand comparatively little chance of election.

On this second count, then, commission government fails in supplying a favorable environment to the trained man. It dooms him to a station of inferior responsibility and reward.

Now the city manager plan, on the other hand, avoids at least these two shortcomings of commission government:—it was so designed. It recognizes and conserves the good which has come from the overthrow of the principle of separation of powers and from the fixing of general responsibility for the conduct of the city government in a single elective body.

At this point the two part company: the plan of popular control is the same in either case, but the city manager plan makes the elective commission a controlling body only. Its members do not individually participate in the administration.

On the contrary, the operating force is composed wholly of appointive offices, which is under the immediate direction of a chief executive appointed by the council—a combination which supplies the conditions for a perfect unification of administrative responsibility and a complete separation of representative from administrative personnel.

What distinguishes this plan, of course, more than anything else is this new executive, the city manager. Upon the general understanding of his relation to the commission and upon the type of man secured in the several cities the plan will either stand or fall. What then is the status of this officer?

For a typical definition the Dayton charter may be used. This charter confers upon the city manager the following duties:

- (a) To see that the law and ordinances are enforced.
- (b) To appoint and, except as herein provided, remove all directors of departments and all subordinate officers and employees in the departments in both the classified and unclassified service; all appointments to be upon merit and fitness alone, and in the unclassified service all appointments and removals to be subject to the civil service provisions of the charter.
- (c) To exercise control over all departments and divisions created herein or that may be hereafter created by the commission.
- (d) To attend all meetings of the commission, with the right to take part in the discussion but having no vote.
- (e) To recommend to the commission for adoption such measures as he may deem necessary or expedient.
- (f) To keep the commission fully advised as to the financial condition and needs of the city; and
- (g) To perform such other duties as may be prescribed by this charter or be required of him by ordinance or resolution of the commission.

This definition for the most part needs no comment. In connection, however, with the appointing power it should be noted that the Dayton charter makes provision for a civil service commission, and a fairly large unclassified service, including the chiefs of divisions and one deputy and one secretary in each department. It should be understood also that the city manager has no



control over the schools or the courts, nor does he appoint such bodies as art commissioners, or other similar bodies. In some cities, too the auditor, the treasurer, the clerk of the commission and the city solicitor are directly appointed by the commission, the first two on the theory that there should be certain financial checks, and the second two because they seem to be part of the machinery of law-making.

In the enforcement of his authority, the city manager may cause the affairs of any department or the conduct of any officer to be investigated without notice and any person appointed by him to pursue such a purpose has power to summon witness and to compel the production of papers and other evidence.

The scope of the city manager's administrative powers, therefore, are rather larger than that of the mayor of any American city. The officer known as the mayor under this charter acts as the presiding officer of the council by virtue of having received the largest number of votes of any candidate for the commission. He is also to be "recognized as the official head of the city by the courts for the purpose of serving civil processes, by the Governor for the purpose of the military law, and for all ceremonial purposes." He is, in effect, the political head of the government, while the city manager, as the charter says, is the administrative head.

In connection with this brand new office the considerations which next present themselves are those of tenure and compensation.

The question of tenure is a peculiarly vital and delicate one. Remember that the plan confers upon the elective commission the full measure of the local governing power and aims to establish their complete responsibility. In consistency, it must give them control over their agents. The whole structure, theoretically, at least, would fall to pieces if the city manager were given a fixed term of office, and he could be removable only for cause upon charges, reviewable in a court. In fact, the very nature of his responsibility to the council is such that removal might be necessary or desirable, but the reasons therefor not subject to such definition as the courts would accept

as sufficient "cause." For these reasons the tenure of that city manager is at the pleasure of the council.

This, in fact, is the crucial point in the experiment. Will a competent man accept the city managership without a more substantial assurance of permanency? Will he risk a professional reputation or an assured means of livelihood for such an uncertainty as the good will of an elective council? Will the council on the other hand, drop politics and prejudice and ignore captious criticism from the townspeople?

These are questions which will have to be answered by practical experience. Those who have had a hand in the fashioning of the plan believe that influences will be at work to establish a security of tenure or a more natural basis than could be secured by a contract, or a definite term, or a judicial hearing. This they hope to do by creating an incentive for fixed tenure and by eliminating the motives for removal for improper or insufficient reasons. It is hoped, to begin with, that the council will so thoroughly feel the pressure of public sentiment in favor of a non-political efficient administration that they will be compelled, in self-defense, to select the best man available. That such a public sentiment exists is evidenced by the very fact that the city manager plan has been adopted.

But other features of the plan must also be borne in mind in this connection. The salaries of councilmen are below a living wage; which tends to make the position unattractive to mere job-seekers. The councilmen are vested with great powers, without being required to sacrifice much time to public duties; which tends to make the offices attractive to public-spirited men. Moreover, the councilmen are chosen on a non-partisan, short ballot, basis.

In the last analysis, the success of the plan, as with every other democratic institution, depends only superficially on mechanical arrangements, but fundamentally on the political genius and public-mindedness of the electors.

In the matter of the city manager's compensation, the charters (with two exceptions) leave the council free of all restraint. They may fix his salary at any amount and

may increase or diminish it, at any time as occasion may require.

But the most revolutionary feature of the whole plan, is that which eliminates the residence restriction. Thus, the Dayton and Springfield charters explicitly state, that he need not be a resident of the city when appointed. Incidentally, this is another blow at the spoilsman, whose theory has always been that local office is local property, a vested right of the "boys" who have grown up in the town. It will tend to lift the city high above this and every other form of petty provincialism and localism. It will open the way to infuse into the city government the new personality, new enthusiasm, new vision of men who have not been trained in the school of ward politics but of scientific administration. We are given reasonable grounds for hope in the growth of a new profession of municipal management.

Such are the typical features of the city manager plan. Were its adoption confined to one section of the country, or to a few sporadic cases, or to cities of any particular size, the growth of the idea would lack significance. But this is not the case. The plan on its administrative side originated in the city of Staunton, Va., with the creation of the office of city manager by an act of the council about four years ago. Staunton, however, neglected to let the country know of its discovery, but in the latter part of 1910 there was introduced in the legislature of New York a bill fathered by the board of trade, of Lockport, by which any city of the third class adopted the plan. The New York legislature did not pass or give any serious consideration to this measure, but wide publicity was given to the idea. In June, 1912, it was adopted by the city of Sumter, S. C., and put into operation there in August of that year. Again the plan was given wide publicity and it was incorporated in the Ohio statute as one of three simplified forms of city government which might be adopted by any city of that state. It was also put into effect in two small North Carolina cities, Hickory and Morganton. During the present year the charter commissions in Dayton, Springfield, Elyria, Youngstown, Ohio, have submitted the plans to the people. Elyria and

Youngstown rejected it, but Dayton and Springfield adopted it by majorities of over two to one. In October the plan was adopted in large majorities by La Grande, Oregon, and Phoenix, Arizona, and by the city of Morris, Minnesota. In some of these places there has been practically no opposition to the new idea, except from partisan politicians, and in Dayton, Springfield and Phoenix was supported unanimously by the local press.

In actual operation, so far as can be judged from experience thus far, the plan already promises to justify several of the theoretical benefits which have been claimed for it. In Sumter, Dayton, Springfield, the personnel of the city councils reveals a notable absence of the familiar type of wire-pulling politician, and the presence of public-spirited citizens with reputations to sustain. What may well be taken as a guarantee of good faith has been the actual selection of city managers in Sumter and Hickory from outside the state. The other cities have not yet taken action on this matter thus far, but reports from \*Dayton and Springfield indicate that the councils will follow the example of these Southern cities. Phoenix, under the terms of the state constitution and the charter, must be content with a local man.

In the matter of salaries the cities seem inclined to be liberal, according to their size. The city manager of Sumter, whose population is 8,109, receives \$3,600; in the charter of La Grande, Oregon, a city of less than 5,000 inhabitants, the salary is \$2,400; Phoenix, Ariz., which has a population of 11,134, according to its charter must pay a salary of \$5,000.

It would thus seem that the city manager plan, in theory and practice, is the herald of a whole new set of opportunities for the extension of the merit system. For the same influences, in general, which determine the selection of the city manager, apply to the subordinate executive positions, to the heads of departments and divisions.

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\*Since this was written the commission in Dayton has selected as its city manager Mr. H. M. Waite, of Cincinnati, and fixed his salary at \$12,500. Springfield has called Mr. Chas. E. Ashburner, the former city manager of Staunton, Va. His salary is to be \$6,000.

This raises the question as to how these non-political positions are to be filled by the highest type of public servant. If it is true that political exigencies will no longer enter into the case, how shall the commission or council proceed to select the city manager, and the city manager his assistants? Herein appears to be a new field of opportunity for civil service commissions. These bodies have long been investigating the fitness of candidates for the lower and more or less standardized positions in the city's service. The city managership, however, presents new difficulties. It has not been standardized, and perhaps it never will. Elements of personality, training and experience enter in a higher degree than in the case of such posts as the librarianship in Chicago, or the chieftainship of the New York fire department. The city manager will come squarely and continuously into contact with the public and should be a politician in the sense of being an accurate judge of the public mind; the kind of man who could get elected to public office under a favorable electoral system. He must be prepared to create public opinion and to forestall criticism. Moreover, the city manager must be a person of vision and initiative, with a constructive grasp of the destiny of American cities, for while he is in theory the servant of the council, he will be no errand boy. He will in actual fact be the chief policy-maker of the city, while the council serves as a checking, controlling agency. There is no bigger job in America.

The description, of course, applies to the rare hundred-per cent-efficient man. But there are, and have been, men of this type. George McAneny, Cyrus C. Miller, John Purroy Mitchel, all of the present administration in New York City, approach this standard. Colonel Waring was a man of such qualifications. It is doubtless owing to the former lack of opportunity that more of them have not come to the surface. Without doubt, the engineering profession alone could be made to yield up many.

To search out such men, not only for the city managership but for the headships of the departments, might well be made a part of the function of the local and state civil service commissions. The selection of a competent

executive is a highly technical function. It will not be sufficient for the council to read letters of recommendation and to "size up" the applicants, nor to seize upon some conspicuous or brilliant figure in the business or engineering world and put him down in a new environment. On the contrary, there should be a free and open chance for everybody. Certain minimum requirements should be determined upon, corresponding roughly to an admission examination, and every man who succeeds in getting through it should be allowed to enter the selected list for final consideration. If some such system could be worked out, the advantages of competition would enter into the selection; and the spirit of the thing would reach down through the administration. Finally, neither the council and the civil service commission should trust their combined wits in making the final selection. They should certainly be quite as ready to call in the assistance of recognized experts in the matter as they would to call in the advice of a sanitary expert in setting the questions for an examination for housing inspector. If such a course was desirable in Chicago when the public librarianship was open, how imperatively necessary it is when the chief executive is chosen!

But the growth of this new municipal system creates a far wider problem than that of the mere selection of executives from the visible supply of material. If the city manager plan develops as rapidly as the commission form (and the present indications are that it will), whence are to come the city managers? The universities and the schools of engineering and technology furnish but a very imperfect preparation for this field. We have no schools of municipal administration and even our graduate schools of political science content themselves with a study of the mere skeleton features of the municipal problem. In Germany, at least, two cities (Dusseldorf and Cöln) have established such schools as a part of their municipal civil service system. Their graduates go out from these into important executive positions in smaller cities and, if successful, their services are in growing demand in scores or hundreds of communities. Municipal management there is actually a recognized profession.

There is, in this country, no well defined avenue of approach to a career in city management. This is a weak point in the situation which I will only mention with the passing hint that it may fall to the duty of the civil service reformers to prod the university authorities on the matter.

These various considerations; the placing of the chief executive on any appointive basis, the abolition of the residence requirement, the perfecting of methods of selection, the stimulation of means of education of municipal executives—these constitute the big constructive program of civil service reform which the growth of the city manager plan presents.

## The Choice of Municipal Experts Through Competitive Examinations in Philadelphia

HON. LEWIS VAN DUSEN, OF THE PHILADELPHIA CIVIL SERVICE COMMISSION.

In every community where there exists a civil service commission there is much discussion, with and without merit, upon the proposition that the methods of the merit system are so inflexible that appointing officers are often hampered in securing competent employees on short notice, and that the system is particularly not adaptable to the filling of higher class positions, especially those requiring expert knowledge. Not infrequently appointing officers attempt to offset criticism of their departments by the assertion that they were either not able to secure competent employees through the merit system, or that they were at least delayed in so doing.

The purpose of this paper is to show by illustrations how the merit system is expeditiously equipping a new department involving 140 positions, all of which, with less than a dozen exceptions, are of a technical engineering character ranging from "tracer" at \$600 per year to "chief engineer" at \$6,000 per year, and all coming within the competitive class of the classified service, with the exception of three positions exempted from competition by act of Assembly. The paper will also include a few examples to show how other positions of a high order involving expert knowledge have been successfully filled by the merit system.

Near the close of the last session of the General Assembly of Pennsylvania an act was passed creating for the city of Philadelphia a department of city transit, which department was authorized to have charge, control and management of the transit facilities of the city. The act was approved May 9, 1913, to become effective July 1, 1913.



The necessities of the new department require that all of its 140 employees, with the exception of 8, be high-class engineers, draftsmen, rodmen, chainmen and tracers. Their titles and salaries were not known until the passage of the appropriation ordinance by city councils and its approval by the Mayor, on June 12, 1913. Therefore, although the new department was to begin work July 1st, it was not possible for the commission to take the first step toward filling the positions until after June 12th. Not less than two weeks public notice of examinations is required by law, and moreover a complete survey of the duties and requirements of each of these 140 positions had to be made before such advertisement could be issued.

The immediate problem confronting this new department was the construction of a great subway by the city with branching elevated lines involving the expenditure of vast sums of money. Public sentiment was very strongly in favor of immediate action looking toward this gigantic task, and it was therefore especially essential that the department of city transit be immediately manned with competent people. The nature of the work happened to be such that no prior eligible lists prepared by the commission, save for the filling of the half dozen clerical positions, could be held appropriate. Fourteen of the positions were filled by transfers, leaving a total of 118 technical positions to be filled by open competitive examination, of which all of the incumbents were to be engaged in a line of work never before undertaken by the city of Philadelphia, and of which very little had been done by private companies in that city.

The commission held a conference with the head of the new department and the requirements and duties for each of the positions were standardized and published with the announcement of the proposed examinations. On June 28, 1913, a special schedule was issued announcing competitive examinations for the following positions:

	Per Year.
1 chief engineer .....	\$6,000
1 asst. engineer on designs.....	3,600
3 asst. engineers .....	\$2,000-2,200
1 electrical engineer .....	1,800
4 asst. engineers (transitmen)....	1,500
1 head draftsman .....	2,700
18 draftsman .....	1,000-1,200
19 draftsmen .....	1,200-1,500
24 draftsmen .....	1,500-1,800
1 checker .....	2,400
2 checkers .....	1,800
10 rodmen .....	960
10 chainmen .....	720
3 tracers .....	600

The examinations for the positions of lesser importance were prepared and rated entirely by the regular examiners of the commission, two of whom are competent civil engineers, and another a competent mechanical and electrical engineer. The other examinations were handled in a slightly different manner. Take for example the examination for "chief engineer" at \$6,000 per year, a position of vast responsibility. Candidates were not assembled for this examination, but notice was issued that any person who cared to do so might file an application together with a detailed statement of his "training and experience," and a list of persons who could vouch for his character and ability. These statements were filed and a special board of examiners was appointed, consisting of the assistant chief engineer of the largest railroad system in the vicinity of Philadelphia, and a consulting engineer in private practice. This board of two members considered the statements of "training and experience" that had been filed and gave them a rating. Such candidates as received a mark of 70% or over were then summoned at a later date to meet the board singly in an entirely oral examination. This oral examination was simply a conversation upon engineering problems, but turned out to be exceedingly thorough and very

searching. A mark was then given the applicant after this interview, and, together with the mark received on the paper for "training and experience" constituted the final average of the applicant. Probably no more sensible or practical plan for securing a responsible \$6,000 chief engineer could be devised by any employer. The result is that the department has for its "chief engineer" a man of long training who has behind him a record of real achievement in the city of Philadelphia in the line of engineering.

The examination for the position of "assistant engineer on designs," \$3,600 per year, was conducted in a similar manner, with the exception that the applicants were assembled and given two days of practical designing to work out on paper. It might be interesting to note that in this examination there happened to be 4 competitors. Upon the completion of the examination none of the competitors measured up to the standards set by the board of examiners so all were declared ineligible and the examination was readvertised. In the second examination there were 12 competitors, or three times as many as before, and the same board of examiners will this time secure a list of competent eligibles. In a similar manner a special board of examiners was appointed to conduct the examination for "assistant engineer," \$2,000-2,200 per year, and "head draftsman," \$2,700 per year, and "checker," \$2,400 per year, these examinations being of the ordinary assembled type with an oral interview added for the purpose of ascertaining the energy, judgment and personality of the applicant. Sometimes a nominal remuneration was paid these special examiners and sometimes the work was done gratis.

The rating of the papers in all the examinations held for the department of city transit was pushed forward by the commission with every possible means. Examinations began on July 21, 1913, and on August 1, 1913, the first eligible list was published. Other eligible lists followed in rapid succession until all were issued. The department made its appointments promptly. In a number of cases it was evident at the

time the examination took place there were not sufficient applicants to fill the positions if all should pass. Such was true of all grades of "draftsmen" for example. The commission did not even wait for the rating of the papers but immediately issued new announcements in every case where there was even a possibility of not having a sufficient number of competitors, so that the papers of the first examination had scarcely been rated when the second examination was held. A third examination was even held for certain positions in the same manner. The commission now has the satisfaction of reporting that at no time since the creation of that department has it been unable to fill all requisitions made by the appointing power. There has never been a word of complaint, either orally or written, from the director of that department, or his assistants, because of lack of eligibles at the time when needed, or because of any lack of qualifications of those certified. On the other hand the commission has received strong expressions of their approval of the character of examinations given, the quality of men certified, and the celerity with which the work was done. I here quote a letter from the chief engineer of the department of city transit to the chief examiner of the civil service commission:

Dear Sir:

Replying to your inquiry of the 1st instant, just received—it gives me pleasure to state that in the filling of technical positions in this department during the five months since it was created, the eligible lists of qualified men, furnished by you as resulting from competitive examinations, have provided us with a very efficient and satisfactory working force.

Of the seventy-nine appointments of engineers, surveyors, draftsmen, etc., already made in the engineering branch of this department, sixty-one were taken from the examinations held especially for us; eleven were transferred from the transit commissioner's organization for which they had previously qualified in competitive examinations;

and seven, including two stenographers and two clerks, were appointed from the eligible lists for any department.

My habit in selecting appointees from the list has been to supplement your classification by a personal interrogation of the applicants and by inquiry of their previous employers, because it seems probable that the men have personal qualities that may not be disclosed in the examination but which are important in considering any prospective employees. I also availed myself of the privilege, afforded through your courtesy, of looking over the candidates' examination papers on your files. As is shown by the record of appointments as posted on the published lists, the result of this care in selecting follows pretty closely the order of the candidates' standing on the lists, nearly all of the higher average men having been chosen, indicating the general correctness of your grading as to qualifications.

The questions given in the several examinations, as I found them while comparing papers, appear to me to be practical and pertinent to the duties of the positions, and well calculated to determine the technical fitness of the applicants.

Yours very truly,

HENRY H. QUIMBY,

*Chief Engineer.*

However, the complete adaptability of the competitive principle has been demonstrated by our commission, not only in emergencies arising out of the sudden creation of a new department such as I have thus far described, but under all usual circumstances, and particularly in filling positions of a highly technical or administrative character.

In Philadelphia we have the position of "city architect." The incumbent is charged with planning and supervising the erection of all buildings undertaken by the city itself. The salary of the architect is \$4,000 per year. The position became vacant a short time ago and a

competitive examination was ordered by the civil service commission. From among some names submitted upon the commission's request by the Philadelphia chapter of the American institute of architects a board or jury of two members was selected by the commission to act in conjunction with its chief examiner. They planned the examination as follows:

Applicants were not assembled. Each architect submitted with his application a detailed statement of his "training and experience," together with plans, photographs and specifications of his best executed work, and a list of references. This material was passed upon by the board of examiners and all candidates found to be worth 70% were summoned to meet the examining board singly in an oral interview. This completed the examination.

It is manifest that it is necessary for the position of city architect to be filled by a man not only of great capacity but of excellent professional standing. It is also a fact that as a rule the better professional men are somewhat skeptical about entering competitive examinations. They are very jealous of their professional reputations. But we have to report that when the plan of this examination was announced 19 architects submitted their applications, their statements of "training and experience," and a bountiful supply of plans, specifications and photographs of their executed work. This material was gone over carefully by the examining board and 6 men were selected to enter the final competition which was the oral examination. Each one of the 6 was before the board of examiners for one-half hour or more, during which time many questions were put to him to test his judgment. The result was five eligibles, two of whom tied for first place. One of these, who was later appointed, is an architect of far more than local reputation, having built several important buildings for the Federal government, and is a member of one of a well known firm of architects in the city of Philadelphia. The other is an architect who drew the plans for the great terminal of the Chicago and Northwestern Railroad at Chicago.

As a result of this examination the city has a most capable architect, and it has again been demonstrated that the merit system of examinations will rise to meet the occasion when properly administered.

Let me give you another illustration. The bureau of health was in need of a diagnostician and consultant. This is the physician who is called in by the bureau of health as an authority when a dispute arises between the family physician and the regular physicians of the bureau. His principal value, therefore, lies in his professional standing. Such men are not going to compete in the ordinary civil service examinations, and the head of the department of public health and charities therefore asked the civil service commission to exempt the position. We refused to do so because we believed in the adaptability of the merit system to almost any occasion. An open competitive examination was ordered. Notices were sent out asking simply for a detailed statement of the "training and experience" of the applicant, together with copies of any addresses, books or pamphlets or essays that he had written, also a list of professional references. Responses were received from 13 physicians. These papers were submitted to a board composed of two well known local physicians. After considering the statements of training and experience, the written articles and pamphlets submitted, and the references, this board placed three of them upon the eligible list. At the head of the list stood the professor of dermatology in the University of Pennsylvania, perhaps the best authority on contagious diseases in that community, and he was appointed. Thus again was demonstrated the fact that the competitive principle can be applied to filling the most difficult positions.

The limited time prevents me from describing many other types of examinations, but I shall at the conclusion of this paper provide you with photographs showing you how our commission examines dentists, bacteriologists, stenographers and skilled laborers of various types.

Our commission feels very sincerely that it has

demonstrated to the satisfaction of the fair-minded people in our city that the merit system in the civil service is adaptable to the greatest emergencies, and is conducive to the expeditious filling of positions with competent employees. In particular we assert that had it not been for the machinery of the civil service commission the pathway of the director of the new department of city transit would have been beset with grave difficulties in the matter of overcoming influences of divers kinds in securing competent and faithful employees.

The merit system has gone beyond the experimental stage in its application to higher positions involving either expert knowledge or administrative capacity. It is not a question as to whether expert or administrative officers should be chosen by other means than competitive examinations, but it is rather a matter of devising the intelligent adaptation of the method of examination to the position to be filled.

No method of examination is sacred be it ever so old. There is more in the method of the examination than in its substance, for the method determines largely the character of the man who will compete. This leads me to say that one of the reasons that has delayed the wide acceptance of the merit system as the best means of choosing experts and administrative officers is the lack of expert assistants on the staffs of the commissions. No corporation would undertake to build a bridge without the services of the best expert engineer obtainable, nor should any civil service commission undertake to apply the civil service system until it has first obtained the best expert civil service examiner obtainable. Indeed we require expert services in most of the walks of life, but few persons have recognized its need on the staff of a civil service commission. I am happy to say that our Commission has recognized this need from the out-set, and as a result of a most thorough and searching examination, conducted by Robert D. Jenks, Esq., Chairman of Council, National Civil Service Reform League, Mr. Elliot H. Goodwin, the League's former Secretary, and Mr. George R.



Wales, Chief Examiner of the United States Civil Service Commission, it obtained for its chief examiner a trained civil service expert, Mr. Arthur M. Swanson, whose experience and intelligent adaptation of the methods of examinations to the positions to be filled has brought to our commission a large measure of success.

In closing I trust you will pardon my referring again to the letter written by the chief engineer of the department of city transit to the chief examiner of our commission. This letter demonstrates, possibly better than anything I have said, the effectiveness of choosing municipal experts through competitive examinations provided the examinations are under the supervision of an expert civil service examiner.

## How the Selection and Retention of Experts Resulted in Taking Contracts out of Politics in Philadelphia.

LIEUT. JAMES REED, ASSISTANT DIRECTOR, DEPT. OF PUBLIC WORKS, PHILADELPHIA

In discussing this subject, let us first consider how contracts come under political control, the results both as regards the work itself and the general effect upon the municipality, how the selection of experts has been carried out, and what the direct effect has been in overcoming the evils which unquestionably arise wherever politics and municipal contracts are too closely affiliated.

### HOW CONTRACTS COME UNDER POLITICAL CONTROL

Every municipal contract is the result of a municipal need, which may be real or stimulated. An improvement is proposed by some citizen, newspaper article, official, or city department, either to benefit a certain section of the community specifically and the rest of the city indirectly (but sufficiently to warrant the expenditure of city funds), or else as a broad, general improvement to enhance the interests of the entire community. This refers, of course, to a *proper* improvement. Under political control the initiation of improvements, however valuable they are or may be made to appear, is always open to suspicion, and frequently to just and severe criticism.

For illustration—it is suggested to build a boulevard. This may constitute a proper, much needed and desirable improvement, but under political control we are not surprised to find that various members of the municipal legislative body and other officials have secured control of certain properties which will be materially benefited by the building of such a thoroughfare. Not only will these properties be benefited by the appreciation of land values

along the line of the proposed improvement, but also by excessive damage awards. There is a certain grim humor in this procedure, which Philadelphia has witnessed at various times, the point being that a man is paid damages by the city because a boulevard is so planned as to traverse his property, although the latter is immediately enhanced many fold in value because of its location on the line of the proposed boulevard.

Now as to the methods pursued in letting the actual contract for the construction in the particular case which I have in mind—these are a matter of record. In this instance award was made upon specifications which in no way protected the interests of the city and after an advertisement of less than *three lines*, hidden in the body of a notice of proposals for various services and supplies for the department which was to have cognizance of the boulevard work. (According to law such a notice must appear in at least three newspapers of the city, one a German paper.) The two American papers selected had no circulation of any consequence and this advertisement was printed in a most obscure location in each paper; the legal requirement of advertising for ten days was met by making the first insertion on a certain *Friday* so that the ten day period included two Saturdays, two Sundays and one legal holiday.

At this point I cannot too forcibly emphasize the fact that proper engineering control of such matters will always result in proper publicity which tends to produce competitive bidding and next to the preparation of proper specifications, properly enforced, this is the most important benefit resulting from the employment of experts. Consider, then, this contract of over one million dollars, advertised in this manner, awarded on insufficient plans, vague, joker-filled specifications, drawn by incompetents, and you have a perfect example of the abuse of contract work under political control.

I might mention here another phase of this subject. Under contractor control, certain stringent clauses would be placed in a specification, which, if rigidly enforced by hostile inspection, would surely put out of business any firm, however honest, that was successful in obtaining

the contract, such firm having dared to enter the field in opposition to the political contractor interests. Award of a contract to the latter interests, of course, meant that these clauses would not be strictly interpreted, and therein lies the difficulty in obtaining fair, open competition on specifications that may appear proper in themselves but are to be enforced by those under the political peonage of the contractors in power.

There is nothing so distasteful to a political contractor as wide publicity on all proposed improvements and all other work incident thereto, careful, just engineering supervision of the preparation of the specifications, the contract letting and the actual carrying out of the work. He has no weapons with which to combat this method of handling public work. His system requires that the departmental officials, from the top to the lowliest inspector, shall be under his political domination, that is—their positions must be dependent upon *his* good-will, the practical result being that in a city where political contractor control is supreme, *he* initiates the improvements he desires, passes the legislation authorizing them and appropriating the money, appoints the officials who draw the plans and specifications, who let the contracts and supervise the construction work and certify to the payments.

As a practical example, imagine a great municipal department, employing 1,600 or 1,700 men and having cognizance of all pavements, roadways, street cleaning, garbage, bridges and sewers, and picture this bureau having in its organization but one engineer and he holding a subordinate position, with an immediate superior who was an iron worker by trade! As a result of such a condition is it to be wondered that pavements were laid without foundation; of improper materials; specifications were either absurdly strict and never enforced, or else extremely lacking in essential provisions to insure proper materials and workmanship? Imagine assistant commissioners who could scarcely write their names, placed (as a reward for political services only), in charge of great districts of the city. Consider the whole force organized into a political army, the sole requirements

for appointment and preferment being the value of the political services rendered to the contractor bosses. It is not at all difficult to imagine how the interests of the public were protected.

Having in mind the above conditions, which have actually existed (and covering which detail proof is available in abundance if desired), let us contrast them with what happens under proper engineering control.

#### SELECTION OF EXPERTS AND ENGINEERING CONTROL

In the selection of experts for the various executive positions, an attempt was made to secure the best men available, without regard to residence, politics, or religion, the sole qualification being engineering ability as demonstrated by work accomplished, and high character as assured by recommendations from official superiors of the highest standing, who were in position to judge thoroughly the men under consideration. These selected experts then in turn utilized much the same method in choosing their subordinates and in every case where engineering work was concerned, efficient engineers were appointed to replace the *political* appointees found in office.

In this connection an especial campaign among the surrounding colleges was inaugurated, personal visits were made, lectures were delivered and printed matter sent out in an effort to overcome the existing prejudice against the municipal service as a field for the engineering and other graduates. This was a real prejudice, founded as it was upon years of observation of the utter uselessness of entering the Philadelphia municipal service with an idea that promotion up to the highest positions would follow as a result of merit alone, without political activity or influence.

The fruits of this work were immediately evident, for recent graduates were induced to take many of the lower positions in the municipal service with an idea of perfecting themselves for promotion up through the various grades in the same manner that this policy is carried out in the largest business corporations. This in itself serves

not only to build up a fine force with high esprit de corps, but to break up the practice of considering everything except ability and integrity, when questions of personnel are under consideration.

Now thorough reorganization work is slow, and in many cases men had to be trained in the various positions they were to fill under the new scheme, organization charts made up which would show definitely lines of authority and responsibility, duties assigned where none had been performed before, or where the need for them under the old order of things had never been made evident. With the laying out of duties went that most important one: overhauling of specifications and contracts and a general checking up of existing records and providing for proper future records. If there is one thing political control is noted for it is the absence of clear, detailed, reliable records of all transactions.

With capable engineers assigned to handle the various divisions of work under the reorganized system of procedure, careful surveys were made of methods of performing the work under each division with a view to improving these methods wherever possible. The beneficial results of this analytical study on specifications, methods, etc., were most largely shown in the changes put into effect in the handling of the new work. There were discovered also many old contracts upon which work had not been started; these were ordered ahead or canceled, unexpended balances were checked up, put under contract, or transferred to active items, and new work was undertaken upon a definite, systematic engineering basis, with a view to securing the maximum benefit to the whole municipality, with the available funds. For example—one of the first studies was to determine the main routes of travel between the suburbs and the city and to place these main arteries in good condition. Meanwhile the principal business thoroughfares, the minor routes, residence streets, etc., were each considered in order and the work laid out upon a definite well-ordered plan.

Bridges are not now built which lead nowhere, and were only constructed to favor the owners of certain

inaccessible properties, as has been done. A \$600,000 draw-bridge was built across the Schuylkill at least ten years in advance of any civic need, leading to a swamp owned by a political contractor. No traffic has passed over this bridge since its construction except the dump-carts and cars of this contractor, who has the street cleaning and ash collecting contracts for the adjacent district. In other words, this bridge gives him an easily accessible dump at no expense. This sort of misuse of public funds for private gain cannot occur under non-political engineering administration.

While the employment of engineering experts in the highest executive positions has unquestionably resulted in great benefit, the importance must not be underestimated of the application of the same principles to the problems of filling the minor positions in order that we may have a constantly growing force of trained experts available for promotion to the higher positions. This will go a long way toward the retention of trained men. A great deal cannot be accomplished where the status of engineering experts may be regarded as temporary. This emphasizes the importance of a permanent engineering staff, with a steady flow of promotion available for the young recruits who are induced to enter in the subordinate positions because of the chance for advancement. In other words, the mere selection of experts, without taking the necessary steps to secure their *retention*, will not make possible the attainment of the great benefits that are due to a thorough application of the policy as announced in the title of this paper.

## Discussion on the Selection of Higher Municipal Officers

**Clinton Rogers Woodruff, Secretary National Municipal League:**

I think we must all agree that we have had a session of unusual value and suggestiveness, and I find myself embarrassed in opening the discussion because of the weighty material presented and the very important points that have been raised.

I think we will also agree that it is a matter of real significance that we have had a session of this character, that there has been such substantial unanimity with regard to these questions.

We want not only capable men, we want not only men who have the necessary scientific training, but we want men who are able to get along with their fellows and with their subordinates and to produce results. And in addition to all that, we want men who are surcharged with a profound sense of civic duty. We know from our experience that a man may be expert and not necessarily surcharged with civic community spirit.

Lieut. Reed, whose paper we have just listened to, is a striking illustration of a combination of all these qualities. I have in mind an illustration that enforces the point. A distinguished engineering expert some time ago was approached by the vice-president of an important corporation in one of the middle western cities. It appears that that particular city through its council had retained Professor Edward W. Bemis to make a report upon the public utility which was then receiving a maximum amount of attention at the hands of the public. The corporation felt that it would have to do something to offset the effect of Professor Bemis' possible criticism of the public utility as a result of his expert examination. It therefore armed the vice-president with large powers and with a check for \$5,000 as a retainer. He went to see the engineer in New York, and asked him if he was open for the engagement. The engineer said he was



free to accept an appointment. The vice-president said: "We want to retain you. I have here a check, which if it is not sufficient will be made sufficient, and we want you thoroughly to examine the situation." The engineer said: "I will be very glad to accept upon one condition, and that is that you will agree to make public the report that I give to you." The vice-president said: "That is beyond the scope of my instructions. I shall have to report again to my board of directors." The expert in question was not retained.

Now, that man showed a very keen sense of his responsibility to the community. He had the well-developed community or civic sense. And it illustrates the qualification which must be present if we are going to have the most successful application of the principles which we are discussing today.

I might add that the Philadelphia Civil Service Commission, which is so adequately represented here today in the person of Mr. Van Dusen, makes an effort in its examinations to ascertain that very thing. If my memory serves me right, not long ago, in an examination for an eligible list for the office of district surveyor,—the office of district surveyor having to do with the laying out of lots in new sections of the city,—applicants were asked this question, or a question substantially to this effect: "If you knew that the developments of the city were going to be in certain directions in your district, and if you had personal friends who were interested in land there, and they were to ask you about those developments, what would your answer be?" I wish we might have the replies to that question. It was designed to bring out the point of view of the applicants for that position; it was designed to test whether those men's sense of loyalty toward the community was well developed, or whether they were still in the archaic position of holding a loyalty to the smaller group or to the individual rather than to the larger group—the community.

I brought with me the Bulletin of the City Club of New York for April, 1913, which is one of the most illuminating documents of its kind that I recall having received for a long time. The City Club of New York

holds from time to time luncheons and dinners, at which public questions are discussed, and at which public officials are given an opportunity to present their policies. In April the Club gave a dinner to the experts in the service of the city of New York, and this bulletin contains a list of those experts and a record of their history, and it amplifies and corroborates the experience which Mr. Van Dusen has just described—if further corroboration were required.

Running over a few of these names, I find that:

"Edmund Beardsley, chief clerk and auditor of the department of water supply, gas and electricity for many years; a conspicuous example of an honest and faithful civil service employee; always willing to tell comptrollers and budget commissions of actual conditions in his department.

"Dr. Walter BenseL, sanitary superintendent during two successive administrations of the health department; the energizing force in the field work of the city's health service; so energetic and efficient in exercising the summary powers of the department during the street cleaning strike a few years ago, that he had upon his hands the fight of his life to keep from being made first street cleaning commissioner and then police commissioner.

"Dr. Hermann M. Biggs, known through the United States, and much of Europe, as among the foremost in the prevention of communicable diseases, and in the development and preparation of anti-toxin; instrumental in establishing the first research laboratory which has manufactured anti-toxin for many other American cities; whose services have been from time to time loaned to other cities threatened with epidemics; unselfishly content to devote his abilities in large part to the public service, instead of in seeking exclusively the rich emoluments of an assured private practice.

"Dr. John S. Billings, director of the public library of New York; brevetted for faithful and meritorious service during the Civil War; for many years in the medical service of the United States army; prepared the vital statistics of both the 10th and 11th censuses; professor of hygiene in the University of Pennsylvania; and since 1896

director of the great public library system of New York City.

"Dr. John S. Billings, Jr., distinguished son of a distinguished father; the ally and partner in those distinguished services in the promotion of the public health referred to in addressing Dr. Biggs.

"Gen. Theodore A. Bingham, policeman, engineer, soldier; able not only to put the fear of God into the police force for several years, but apparently equally able to do the same thing to contractors; gifted in solving the engineering problems of the department of bridges.

"Edward F. Boyle, chief examiner in the office of the president of the board of aldermen; deserving of special honor for not permitting his position as a political leader to interfere with the character of his public service; exceptionally efficient.

"Theodore Connoly, whose sole client for over thirty years has been the city; much of that time in charge of the appellate work of the corporation counsel, and profoundly respected by every member of the bar.

"John T. Fetherston, assistant engineer, acting superintendent, Borough of Richmond, one of the chief authorities in the United States on the subject of the disposal of refuse; unsuccessfully sought by the city of Chicago for similar work."

And then so on through a list of some thirty-five or thirty-eight, including men like Dr. Daniel D. Jackson, described as "sentinel of the public health; engaged daily, in the quiet of a little building at the Prospect Park reservoir, in examining samples taken from every source of New York's water supply, closing and treating antiseptically every spot showing the slightest trace of infection; undoubtedly the savior of thousands of lives every year." And so I might go on.

This shows that it is possible for great communities (and for smaller ones, for that matter,—because there is abundant evidence to the same effect) to secure and retain in its service men of distinguished ability who are willing and ready to serve the public in these expert capacities.

I think that one of the most practical things that the

National Civil Service Reform League could possibly do during the next three or four years would be to consider, as it has in the past, how to select these men. We have had an illustration this afternoon of how they are selected in the city of Philadelphia, and how successful the methods there employed have been.

If it is true, as Mr. Gilbertson would seem to indicate in his paper,—and I concur in his judgment,—that the city manager-commission plan is going to develop with very great rapidity during the next decade of years, then there will be need for the training of men who are able not only to manage bureaus such as have been referred to this afternoon, but to manage the city as a whole.

Now, just a word or two more in the way of some information which I think will be in the nature of additional encouragement to that which we have already received this afternoon: First, The fact that there is a growing consciousness, not only on the part of the people of the United States in unofficial life, of the selection and retention of experts in municipal affairs, but a growing consciousness on the part of the officials themselves that they need to be better trained and more expert in the administration of their offices.

In the past ten years, to be more exact, there have been organized in a little over 25% of the states leagues of municipalities, made up of the representatives of the various cities, who come together in some instances, as in the case of Wisconsin, twice a year, to exchange experiences, in order that they may more efficiently manage the affairs of the city. That is important, and that is suggestive. But a still more important and suggestive development has been the fact that within the past two or three years these leagues of municipalities, made up of municipal officials, mostly municipal officials elected by the people, have selected as their secretaries professors or instructors in universities, and within the month the League of Texas municipalities has been formed, and has put in its constitution that the director of municipal research in the University of Texas shall *ex-officio* be director of the League of Texas municipalities,—showing that there is this growing desire on the part of those who

are called upon to administer the affairs of our communities, large and small, to avail themselves of the best service available.

Another encouraging item is the fact that on the Pacific Coast, where perhaps the municipal officials have achieved, generally speaking, as high if not a higher state of efficiency than perhaps in any other one section of the country, the League of California municipalities is working in conjunction with men in the University of California to establish in the University of California a training school for municipal officials,—to provide the men who will take the examinations that have been described here this afternoon, and to work out if possible some regular routine by which men who want to devote themselves to public service may proceed through the universities, equipping themselves there for the public service.

There is one other point which I should like to touch upon before I sit down, brought out by my consultation with Lieutenant Reed during the preparation of his paper. Mr. Reed, I might say, is a naval officer, connected with the engineer corps of the navy, and was loaned by the Federal Government, first for a year, and I think subsequently for eighteen months altogether, to the city of Philadelphia, that he might assist Director Cooke in the reorganization of the department of public works in the city of Philadelphia. I asked Mr. Reed this: "How is it that the members of the engineer corps of the navy and of the army have so high a sense of their public duties and obligations that even though their compensation may be regarded as inadequate, from the modern point of view of recompense to those of scientific attainments, they give such fine service." He said it was due to the training that they received at Annapolis and West Point, where they were taught to regard the public service as the service to which they were to give their loyalty and their devotion. It is that which I believe our universities to an increasing degree are giving to the men who are passing through their courses preparing themselves for public service.

Just one other thought that came to my mind as I

mentioned Mr. Cooke's suggestion, and that is a practical one. Mr. Cooke suggests that what we need in order to get experts into our municipal life is what he calls a national supply of experts. And I am just giving his suggestion for further thought and consideration. It is this: That the great technical societies like the American Society of Civil Engineers, the American Society of Mechanical Engineers, and similar organizations, be requested to prepare, in such way as may seem to the most efficient, a list of experts in the various lines of engineering that could be utilized by the various cities as they have need of them. Director Cooke has expressed on more than one occasion the difficulty that he has had in getting men of the higher scientific attainments to go from place to place and take an examination for appointment to a position requiring scientific attainments. He said, however, he felt that if they could qualify themselves on some national eligible list that disinclination on the part of well-equipped men would be overcome, and that the cities would have an unfailing source of supply of the best equipped men along scientific lines.

I think we will all agree that the discussion by this body, and by similar organizations, of this question of the selection and retention of experts as a practical question, and of these various movements to which I have all too briefly referred, constitutes a note of progress, and one of very great encouragement.

**Richard Henry Dana, of Cambridge:**

In order to secure permanency of tenure for the city manager, one of the simplest ways is so to arrange it that the manager's successor cannot be chosen except through some such method as they have been using in selecting municipal experts for Philadelphia; that is, by open competition. Then there will be removed the temptation to put one man out for the purpose of giving a job to somebody else, either for the benefit of the salary to him or because he is subservient to the city authorities and will award the contracts to those contractors who have political influence. In Berlin and in other German cities they secure permanency by means

of long contracts, with retiring pensions. That is one way of getting at it, and that would very likely succeed perfectly well if tried here. But, to return to the other way, wherever in the public service, even where we appoint for short terms, as was once the case with the police of Boston, as long as the successors could only be appointed by competition it secured permanency. However, even should the German plan of long contracts be adopted in this country, there would still remain the question of how we could select the manager free from political influence and with whom to make the contract.

Some years ago, when we first brought up this subject of the employment of municipal experts, Professors Sedgwick and Swain of the Institute of Technology said that they had young men in that institution and recent graduates who had been trained in the subjects connected with municipal administration, but that they always advised the young men not to take municipal employment under present conditions, because they are so corrupt and so unfair upon an honest man, and no matter how well he may try to do his part of the work he must obey the orders of persons over him who will compel him to do things which no self-respecting man would wish to do. But both these gentlemen said that if there was such a system of open competition based on investigation of careers as we have been urging, and such as has been established in Philadelphia, on the contrary they would encourage their young men to go into such service. And, further, I believe that an educated young American has within him the instinct for public service, and if he gets his position by open competition and is not subject to political pressure, that instinct he develops in practice.

I happen to know somebody who had been a good deal in the West and had met some of those employees of the United States Government in the Forestry Division who had obtained their positions by competitive examination, and he was struck by the amount of energy that they devoted to public work, when they could get higher compensation in business life, just because they desired to serve their country.

ORGANIZATION  
OF THE  
National Civil Service Reform League.

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CONSTITUTION

[REVISED DECEMBER 13, 1900.]

ARTICLE I.

The name of this organization shall be the National Civil Service Reform League.

ARTICLE II.

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of civil service reform in the United States.

ARTICLE III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such Association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such Association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other society or organization to take part in any designated meeting of the League.

The Council may also admit, in such manner as it may prescribe, associate and sustaining members of the League. The annual dues for associate members shall



be five dollars and for sustaining members twenty-five dollars. Associate and sustaining members shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

#### ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any Association shall demand a vote by Associations, in which case each Association represented shall be entitled to one vote, which vote shall be cast by the delegates from such Association present at such meeting or by a majority of them.

#### ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

#### ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be chosen, and may be removed by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be *ex-officio* members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice-President may be filled by the Council until the annual meeting next following.

#### ARTICLE VII.

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

#### ARTICLE VIII.

There shall be an annual meeting of the League at such time in each year, and at such place as the Council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

#### ARTICLE IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.

## BY-LAWS.

[ADOPTED BY THE COUNCIL JANUARY 18, 1901.]

§ 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.

§ 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.

§ 3. The Council shall elect its Chairman and the Secretary, Treasurer and Assistant Secretary of the League, at its meeting next succeeding each annual meeting of the League.

§ 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made, during the year.

§ 5. The order of business at each meeting of the Council shall be:

1. The reading and correction of the minutes of the last meeting.  
And thereafter, unless otherwise ordered, as follows:
2. The admission of new Associations.
3. Statement of the Treasurer.
4. Report from the office of the Secretary.
5. Reports of Standing Committees.

6. Reports of Special Committees.

7. Miscellaneous business.

§ 6. There shall be the following Standing Committees to be annually appointed as the Council shall direct:

(1) A Committee on Finance, to consist of not less than nine members;

(2) A Committee on Publication, to consist of at least three members; and, *ex-officio*, the Secretary and the President of the League; and

(3) A Committee on Law, to consist of at least four members, and, *ex-officio*, the Chairman of the Council.

These Committees shall discharge the duties appropriate to their respective titles; vacancies occurring in any one of them may be filled by the Chairman of the Council.

§ 7. The following Special Committees shall be appointed as the Council shall direct, and discharged at the conclusion of the annual meeting of the League, next following:

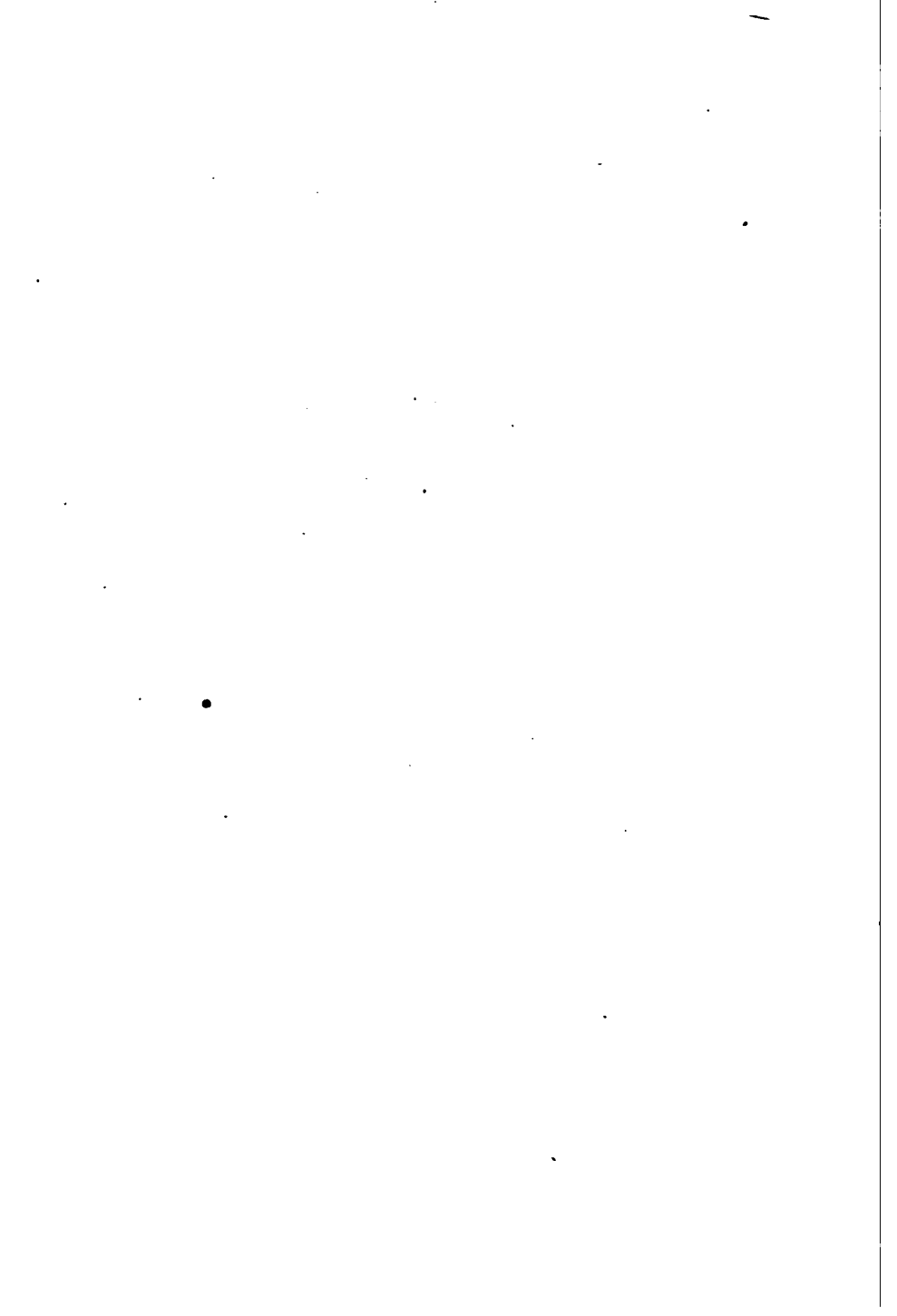
(1) A Committee on Nominations, to consist of six members and, *ex-officio*, the Chairman of the Council.

(2) A Committee on Resolutions, to consist of six members, and, *ex-officio*, the President of the League.

These two Committees shall submit their reports at a meeting of the Council immediately preceding the annual meeting of the League.

(3) A Committee on Report and Programme, to consist of two members, and, *ex-officio*, the President of the League, the Chairman of the Council and the Secretary; a part of whose duty shall be to prepare, for consideration by the Council, the draft of the annual report required by Article VI of the Constitution.

§ 8. These By-Laws may be amended at any meeting of the Council by a unanimous vote of the members present, or by the vote of a majority of such members, provided that, in the latter event, notice of the contemplated amendment shall have been given in the call of the meeting.



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**Address of Hon. Carl Schurz** in opposition to the bill to amend the New York Civil Service Laws, commonly known as the "Black Act." May 6, 1897.  
**Retirement Legislation in New York.** Report of a Special Committee. (1911.)
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### **MISCELLANEOUS.**

- The Organization of the Modern Consular Service.** By George McAneny. (Reprinted, by permission, from the Century Magazine, for February, 1899.)  
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**The Merit System in Road Management.** By Logan W. Page. (1913.)

**The Choice of Municipal Experts Through Competitive Examinations in Philadelphia.** By Hon. Lewis H. Van Dusen. (1913.)

**Preliminary Report of the Special Committee on Removals in the Civil Service.** (1913.)

**The Practicability of the Merit System.** By Arthur M. Swanson. (1915.)

**Protection and Extension.** By Richard Henry Dana. (Address of 1914.)

**City Government by Experts under the Competitive System.** By William Dudley Foulke. (1914.)

# PROCEEDINGS

AT THE ANNUAL MEETING OF

 **The National Civil Service Reform League**

HELD AT

CHICAGO, ILL., DEC. 3 AND 4, 1914

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

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PUBLISHED FOR THE  
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# ANNUAL MEETING

## OF THE

### NATIONAL CIVIL SERVICE REFORM LEAGUE.

DECEMBER 3 AND 4, 1914.

**P**URSUANT to a call duly issued, the Thirty-fourth Annual Meeting of the National Civil Service Reform League was held at Chicago, Ill., the 3rd and 4th of December, 1914. The following delegates from Civil Service Reform Associations and Auxiliaries were in attendance during the several sessions:

**BUFFALO:** Ansley Wilcox.

**CHICAGO AND ILLINOIS:** R. E. Blackwood, Charles L. Capen, Robert Catherwood, Samuel Dauchy, John A. Fairlie, Herbert E. Fleming, William B. Hale, William B. Moulton, Mrs. William Severin, Russell Whitman.

**INDIANA:** William Dudley Foulke, Lucius B. Swift.

**MASSACHUSETTS:** Richard Henry Dana, William V. Kellen, Samuel Y. Nash.

**MASSACHUSETTS AUXILIARY:** Mrs. Richard Henry Dana.

**NEW YORK:** George T. Keyes, Harry W. Marsh.

**CINCINNATI:** Charles B. Wilby.

**PENNSYLVANIA:** Robert D. Jenks, R. Francis Wood.

**WISCONSIN:** Glenway Maxon, Frederick C. Winkler.

In response to invitations issued by the League to municipal reform associations and other bodies interested in the reform of the civil service, delegates were present from such organizations as follows:

**BUFFALO CHAMBER OF COMMERCE:** Ansley Wilcox.

**COOK COUNTY CIVIL SERVICE COMMISSION:** W. Francis Corby, Miss Anna Nichols.

**CHICAGO CIVIL SERVICE COMMISSION:** John J. Flynn, J. L. Jacobs, Fred G. Heuchling.

**ILLINOIS STATE CIVIL SERVICE COMMISSION:** William B. Moulton, W. R. Robinson.

**OHIO STATE CIVIL SERVICE COMMISSION:** S. A. Hoskins.

PHILADELPHIA CIVIL SERVICE COMMISSION: Arthur M. Swanson.

WISCONSIN STATE CIVIL SERVICE COMMISSION: H. S. Knight.

GENERAL FEDERATION WOMEN'S CLUBS: Mrs. Frederick H. Coles, of Omaha, Neb., Chairman, Civil Service Department; Mrs. A. H. Beaver, Congress Park, Ill., Chairman, Civil Service, Sixth District Illinois federation.

There were also present at various sessions the following federal, state and city employees and others:

Miss Alice M. Whitman, of Chicago; Miss Winkler, of Milwaukee; Miss Effie P. Freeman, of Chicago; Mrs. H. Henrickson, of Chicago; John A. Hardwood, of Madison, Wis.; Peter J. Stoehler, of Milwaukee; Charles H. Cowper, of Evanston, Ill.; Mrs. Katherine A. Gallagher, of Canton, Ill., and H. S. Baker, Harry L. Bird, N. J. Buckley, James H. Burdett, T. H. Canfield, William F. Cluett, Morgan A. Collins, G. V. Cummings, James W. Flack, Thomas P. Garhood, James M. Grimm, E. O. Griffenhagen, C. S. Hill, Max S. Katz, Gottfried Kochler, W. G. Lenninger, James E. Lyman, Joe C. McDonnell, F. M. McCarthy, George L. McDonald, Bernard McMahon, Howard Miles, N. E. Murray, Benjamin S. Pfeiffer, John W. Radford, Frank Raduenz, Philip J. Regan, D. P. Riordan, Jesse D. Schenninan, Herman Spalding, James H. Van Natta, and C. M. Williams, of Chicago.

## MEETINGS OF THE LEAGUE.

The headquarters of the League during the meeting were at the Hotel La Salle, corner of La Salle and Madison Streets, Chicago. The proceedings at the sessions of the League, commencing on the morning of December 3, were as follows:

### FIRST SESSION.

Hotel La Salle, Thursday Morning, Dec. 3.

**T**HE League convened at 10:00 a. m. President Dana presided.

The minutes of the last Annual Meeting having been printed and distributed, their reading was omitted.

An address of welcome was given by Mr. Russell Whitman, President of the Civil Service Reform Association of Chicago. After a response by President Dana, Mr. Robert D. Jenks of Philadelphia, Chairman of the Council of the League, read the annual report of the Council.<sup>1</sup>

The following reports from Auxiliaries and Associations composing the League were then read:

**Hon. Ansley Wilcox read the report for the Women's Civil Service Reform Association of Buffalo:**

The Women's Civil Service Reform Association of Buffalo is continuing its educational work in the schools—furnishing literature to the four high schools for the study of the merit system in the history and civics classes and to those pupils in the literature classes writing for the essay for which Miss Sarah L. Truscott gives the Municipal Honor Medal each year. The presentation of the medal is made an occasion of importance in the school of which the winner is a pupil. A prominent speaker is procured and a large delegation of citizens attends. In the high schools during the year ending in June, 1904, 414 pupils read and studied the literature furnished. The pamphlets given to the high schools in 1913-1914 were:



A Primer of the Civil Service and Merit System—E. L. Cary.

The Civil Service—Merit System—Spoils System—Edward Cary.

Relations of Civil Service Reform to Municipal Reform—Hon. Carl Schurz.

Civil Service Reform as a Moral Question—Hon. Charles J. Bonaparte.

Honor in Politics—John Gilston Floyd.

Summary of the United States Constitution—John Gilston Floyd.

Civil Service Reform as demanded by Presidents and Statesmen.

In February the readers of the civil service reform literature in the high schools are invited to an evening entertainment to honor the memory of George William Curtis, when some address of Mr. Curtis' is read by the pupils and an address made by a prominent citizen. We have an attendance of a hundred at these meetings.

In the spring primers by E. L. Cary are sent to every pupil in the eighth grade in all the public and private schools. This year we gave 3281 pupils a primer in the classes in American history, when the lesson was given which tells of Garfield's assassination by a disappointed office seeker.

We have the hearty co-operation of teachers and pupils, and although the membership of our Association is small, we are much encouraged by the results. The high school pupils give the subject serious study, many of them going to the public library and sending out of town for extra literature.

Buffalo is a city of many nationalities. In the Hutchinson High School alone, there were eighteen at the last count. The Municipal Honor Medal for the best essay on "The Merit System in the Civil Service of Municipalities" has been won by American young women and young men, by a Russian, by an Italian and several young men of German descent.

Mrs. Richard Henry Dana submitted the report for the Women's Auxiliary of Massachusetts.

The Massachusetts Auxiliary again reports a year of

activity along educational and legislative lines. An important feature of the educational work continues to be the widespread distribution of pamphlets. Since 1901 the total output has exceeded 600,000 copies of our publications sent to every state and territory, and in every case they have been asked for. During the past year we have distributed 37,000 pamphlets; of these 30,000 have been used in school work. The largest single order was for 4850 copies of Miss Cary's "Primer of the Civil Service and the Merit System" to place in 97 schools in Cleveland for the use of about twelve thousand pupils in the seventh and eighth grades. The Civil Service Reform Committee of the General Federation of Women's Clubs ordered 3500 copies of the "Primer" for circulation at the biennial meeting held in Chicago last June. Frequent requests for material have also come from women's clubs in many states. The two new publications of the year are "The Choice of Municipal Experts Through Competitive Examinations in Philadelphia" by Hon. Lewis H. Van Dusen and "The Merit System in Road Management" by Mr. Logan Waller Page, both reprinted from the Proceedings of the National Civil Service Reform League. Copies of each have been sent to the 228 libraries which have asked to be placed on our mailing list.

In addition to the pamphlets issued for distribution in large quantities the Auxiliary keeps on hand in smaller numbers many pamphlets on various phases of the merit system and also furnishes material from its reference and lending library. The library contains a few hundred books and reports, many hundred pamphlets and magazine articles, and several thousand loose sheets of newspaper clippings and cuttings from GOOD GOVERNMENT and other sources. This material has been carefully classified so that a request for information on a special topic such as the consular service, the post office department, etc., may be readily answered by a wide range of reading matter in compact form. The purpose is to encourage the study of civil service reform through easily accessible material which will be of interest to club women or others writing papers for meetings, to college students

preparing theses, and to school boys and girls writing essays. Contests for the civil service reform medal were held by our Brookline, Springfield and Worcester Branches and by the Philergian Club of Braintree, the Framingham Woman's Club and the Winthrop Popular Authors' Club. In Brookline the competition was open to grammar school children; the other contests were held for the high schools. Nearly a hundred essays were written in Springfield and between two and three hundred in Worcester, thus showing a great increase of interest since the earlier years when the medals were offered. Over one hundred medals have been awarded in these civil service reform competitions.

Many new lantern slides have been added to the collection shown last year at the Boston meeting of the League. Especially helpful are the photographs of actual civil service examinations in progress which were reproduced from the folio issued by the Civil Service Commission in Philadelphia. Illustrated talks have been given to the civil service class in the Lynn High School, the Winchester High School, before St. Stephen's House in Boston, and at the annual meeting of our Worcester branch. At two successive afternoon and evening motion picture entertainments, given by the Brookline Friendly Society, a brief talk on the Merit System accompanied by lantern slides was followed by our motion picture of the graduating exercises for a class of recruits in the Boston Fire Department—a feature which proved an attraction to many members of the Brookline Fire Department and their families.

At the request of Mr. Clinton Rogers Woodruff we prepared a few charts for the civil service reform exhibit shown at the recent meeting of the National Municipal League. These charts illustrate comparatively the growth in the number of examinations held by the Massachusetts Civil Service Commission since 1885 and the yearly increase for the same period of those examined, passed and appointed; the proportion of successful applicants receiving a common school and a college education; also the proportion of men and women appointed through entrance and promotional examinations.

During the past year the Auxiliary and its ten branches have held frequent meetings with addresses by R. H. Dana, Hon. W. Cameron Forbes, Mr. Arthur H. Brooks, Mr. John F. Moors, Mr. James T. Williams, Jr., formerly United States Civil Service Commissioner and now editor of the "Boston Transcript;" Mrs. R. C. Cabot, our president; Mrs. L. N. Kinnicutt, chairman of the Worcester branch, by the secretary and many others. At the spring meeting of the State Council Mrs. Cabot spoke on "The National Crisis in Civil Service Reform." Last January the Auxiliary wrote letters to the Massachusetts senators and representatives urging them to oppose the exemption of assistant postmasters as provided by the post office appropriation bill and likewise sent a circular letter to our eleven hundred members asking their help in protesting against this measure. Later the Auxiliary worked to oppose the exemption of the commercial attaches.

During the first half of the year the numerous bills affecting the civil service law before the Massachusetts legislature occupied our constant energy and attention. The secretary was present at practically every hearing and followed many of the debates on civil service matters in the house and in the senate. Through the circulation of a protest to members of the Massachusetts Association and Auxiliary and to the State Federation of Women's Clubs we secured the signatures of 2750 remonstrants to the Spanish war veterans' preference bill. A special effort was made to reach the labor unions and as a result over seventy labor organizations went on record as opposed to preference legislation while only five notified us of their support for this measure. The Spanish war veterans sought last year to be given absolute preference in appointment, but the public service committee again reported in favor of a five per cent preference. This bill was amended in the house by attaching a referendum vote and then passed by an overwhelming majority. The referendum clause was so objectionable to the Spanish war veterans that they allowed the bill to be rejected without a roll-call in the senate. Two other dangerous attacks on the civil service law

which readily passed the house and were defeated with difficulty in the senate were a bill raising from sixteen to seventeen the age limit under which no questions could be asked by the civil service commission as to the criminal record of applicants and a measure prohibiting the civil service commission from discriminating against candidates convicted of any offence the maximum penalty of which was a fine.

The Auxiliary again labored in vain to bring about the extension of the civil service law to the House of Correction at Deer Island. Fifty petitioners appeared at the hearing and not one remonstrant. The measure was endorsed by the Mayor of Boston, the City Council, the Finance Commission, the Chamber of Commerce, the United Improvement Association, the Boston City Federation, the Deer Island Employees' Union and a large number of other organizations as well as by almost every newspaper in Boston. There was a brief moment of hope for success when the public service commission reported favorably on the bill—through a clerical error. An adverse report was then substituted and after debate in the house the measure was rejected on a rising vote of 42 to 68.

Another measure endorsed by the Massachusetts Auxiliary was a permissive bill enabling women to be appointed as special police officers. The success of the policewomen in Chicago was of the greatest assistance in securing the enactment of this bill. At the hearing the husband of the first woman police officer in Chicago opportunely appeared to testify in favor of the measure and its chief opponent in the legislature was finally converted to its support through a favorable reply to his letter of inquiry sent to Chicago. The civil service commission has not yet been called upon to hold an examination for the position of policewoman, since no city has made an appropriation for the salary of such an officer but two unpaid policewomen are rendering excellent service in Marlboro.

In conclusion the Massachusetts Auxiliary desires to express its appreciation of the great help and inspiration given to our own efforts for the promotion of the merit

system by the valuable work rendered by the Illinois and Chicago Civil Service Commissions and Reform Associations.

**Hon. Ansley Wilcox submitted the report for the Civil Service Reform Association of Buffalo:**

It is a little bit difficult to do this intelligibly and intelligently to the audience before me today, because I have so often reported to our own body.

There are peculiar conditions existing in Buffalo. We have attempted to meet them, referring to the past, but many of those here, especially from Chicago do not know the special difficulties under which we are laboring in Buffalo. I must say a few words about the past, in order to point out the distinct progress we have made.

I say that we have made great progress. Buffalo early obtained a very high sense of its municipal position and I think Buffalo is not behind any other city in the country, compared with any other place of equal size. It is not quite up to the front rank and never has had a good administrative system, a good method of enforcing the civil service law and that particular work has been up and down, good and bad, according to the individual who happened at the time being to be at the head of the city government, the mayor. The civil service commission has always been subject to his absolute control.

In Buffalo at an early date we established, through a court decision, the principle that the mayor being given by the civil service law the power to appoint and employ persons to carry out the merit system in Buffalo, that power to appoint and employ gave the right to do what was necessary to appoint and employ—incidentally to pay a secretary of the civil service commission, which the common council at that time had refused to provide for. So the first pay given the local secretary was given against the will of the common council.

The earliest civil service commission created in Buffalo consisted of fifteen members, all serving without pay and were taken from a very high grade of Buffalo citizens, lawyers, doctors, and engineers, professional and business men of all kinds and they were among our best citizens, actively interested in the work and so large a

commission was created and they had no assistants excepting the under-paid secretary after a year or two. They had to do all of their own work and everything else. That system has more or less continued down until the last year or two, a very representative system and just as different from the highly organized system which you people in Chicago have as one extreme can be different from another. But it has not always worked as badly as you might suppose it would have worked because pretty good men have been interested in it and the average of our members has been fairly good and we have a good mayor and we have generally had an effort at least to fill the positions on the commission with willing workers of intelligence and interest in the subject who produced better results than that kind of volunteer miscellaneous working body might be expected to produce. Nevertheless it has been falling behind in its work, not keeping up with the progress of late civil service reform. A few years ago we got the number of the commission cut down from fifteen to seven and then to five and the number of employees increased until we have a budget of something less than \$10,000. But we have no provision and never have had any provision in Buffalo for anything like the maintenance of an efficiency system. We have endeavored to have the department maintain efficiency systems of their own but have no provision for doing it. The mayor last year cut down the commissioners to three and the commissioners for the first time are getting some pay and practically being required to give their entire time to the work instead of giving what time a busy lawyer or doctor or business man could steal away from his business late in the afternoon at odd hours, at noon or oftentimes in the evening, even on Sunday to do this work, which was all they could afford to do before when they got no pay for it. Now they are getting very modest compensation, but it is still some compensation and really expect to give a substantial amount of attention to the work and there has been a slight increase in the appropriation for the commission and some very bad conditions which existed in connection with the commission and some of their employees have been removed,

so that while we are very far as yet from having an ideal condition of things in Buffalo, we have at least started on what appears to be as far as it exists, a certain basis. We have now a firm foundation under us and are in a position to go from that to larger proportions and better working force and better examining body and to take some steps in the direction of creating a local efficiency system. Therefore, I think we can say now we have turned away from the primitive methods by which we started and have got a solid basis and are going forward from this time on to try to put our local civil service in better shape and start into better working conditions.

**Hon. William Dudley Foulke presented the report for the Indiana Association:**

Five minutes will be quite enough to state what has been done in Indiana. I have been away during most of the past year and of course I have very little personal knowledge of it. I know as far as legislation is concerned there has been practically nothing done. The state of Indiana is extremely conservative. They have just refused an appropriation for a constitutional convention. Our constitution now is, with one exception I believe, the oldest of that of any state in the Union. It is perfectly Bourbon in its character and unworthy really of a great commonwealth like Indiana; but a very great majority of the people of Indiana refused to authorize a constitutional convention. We are extremely primitive in nature. We have civil service in some of the large cities. In Indianapolis there is an attempt to enforce the merit system, which is measurably successful. There have been some efforts during the past year, of which the council were informed last evening to get around civil service where people who were entirely unable to pass the examinations themselves would get somebody of more education in that community to represent them and they got some of the very best people in the community to go down and represent them in taking the examination. Luckily the thing was discovered and they were hauled up before the United States judge. Judge Anderson, who



is a man of severe disposition, who gave them all a pretty sound lecture, not only that but imposed a fine from \$100 to \$300 apiece on each of them. They are men not able to pay fines of that kind with any great ease and the result is they have been punished for that conspiracy and in that particular I may say that Indiana I think offers a pretty fair comparison to the state of Massachusetts and to the city of Boston in which a man who also impersonated another in civil service examination and in whose prosecution I myself took some part, has recently been elected mayor of Boston and I understand in some respects he has made a pretty good man, which perhaps is not a very good moral for us to draw.

I must say the state of Indiana has a very little report on account of the extremely conservative view of its inhabitants.

**Hon. S. A. Hoskins presented a report from the Ohio Association:**

I was a member of the constitutional convention in Ohio that met in 1912 that formulated our new constitution. If I had any political views at the time in that convention, I might have been said to belong to rather the moderately radical wing of the convention. That is, we did not want to do anything too radical, but we wanted to do a great many things that we thought were distinctly progressive, and we think we did them. We are sure we did them and one of those amendments written into the constitution was the first recognition of the principle of civil service in that constitution. That was a short amendment that was approved by the people of Ohio by 101,000 majority at the election that followed in September, 1912. The amendment to the constitution was not self-executing, but required legislation. Fortunately the legislature following the constitutional convention was willing and did put into operation in Ohio probably the most comprehensive civil service law in the country. I want to say this, that the Governor of Ohio, the present Governor, the one elected two years ago, stood for the enactment of this legislation. There isn't any question but what civil service is not popular with the average member of a state legislature. There is no question about

that and the civil service statute was practically the last one enacted by the legislature and it was enacted by the influence and demands of the Governor. In fact, a good many people in Ohio have very loudly and vociferously since that time and up to the third or fourth of November called him a boss, but one of the things the boss did—I am saying it here—was to procure the enactment of the most comprehensive civil service law in this country and he has stood for the enforcement of it. I think that is simply a fair statement of the situation as it developed.

Now, I would like to say this, that the civil service law is not popular with the average man in politics. It is not popular with the average head of a department at the beginning of the operation and when the law went into effect a year ago last August—we had begun our work a year ago the last of September, but that part of the law that required all appointments to be made from eligible lists only became effective last January. This was our experience. I would like to be permitted just to discuss the law a little bit but this was our experience that at the beginning of the operation of that law we found a good deal of hostility on the part of the heads of departments who had theretofore throughout all Ohio been permitted to exercise their judgment in the thing of selecting their employees. In other words, they had been political appointments. We had never thought or dreamed of anything else in the state government.

It is true they had a form of civil service in the city but nothing in the state department, nothing in the county government so that the first thing that we met was more or less hostility upon the part of the heads of departments because the merit system took away from them the power and the privileges which they had been exercising throughout all the history of the state; and when you think about that, it is not an easy thing to go up against a stone wall like that on a certain day, in a certain year put every position in the state government and every position in your county government under civil service, all at one time and administer it from that day and year on. You are mistaken if you don't think that is some job and that is what we went up against and we

are not claiming any perfection in the administration of the law. We are simply claiming to have done the very best we could.

Now, in addition to imposing upon us the duty of organizing that system and starting it and teaching the people something about what it meant, they imposed upon us the duty of conducting non-competitive examinations in the entire state and all the eighty-eight counties and to do that all within one year, we would have had some task on our hands. We have held, in a general way up to this date about three hundred and seventy separate examinations since the first day of last January and we have examined probably about twenty-one thousand people and made reports upon them so that it gives you some idea of the tremendous amount of work.

Now, I will say right here, lest I forget it, that we probably would not have been able to have started this machinery and wound it up and got the wheels to turning and installed the system if it had not been for the assistance we received from the Chicago civil service commission. We had them come there, a member of it, Major Miles and Mr. Lower and we picked some of their best assistants to help us start that work and that assistance was invaluable to us.

Now, I don't know just exactly what you would want to hear from me but there is this point I would like to make that you have been talking here about the attacks on the civil service system. Now, we are right at that point now in Ohio. We have a local state organization there, of which Wilby is the chairman and a very good organization. We have amalgamated that organization with the civil service commission. You understand each city in our state has a separate civil service commission, from the two large cities, Cincinnati and Cleveland down to all cities over five thousand have their own civil service commission, which gives us a widespread interest in it. We have formed an organization there which is an association of the civil service organizations of the state, that part of which is independent of the commission as a commission. This has been the experience. We have anticipated, as we do now—for the last

six months we have anticipated the incoming legislature which meets on the first of January will attack the civil service law; that is, they will seek to break it down. That is my judgment about it. We thought that before the election in October because we thought it would come from men who were of the party that was then in power because there have been more or less attacks—no attacks on the administration but upon the system. They say it is too rigid and too strong and too comprehensive and ought to be modified and so forth.

Now, that was an attack which we were preparing for, prior to the election. I do not think the results of the election have any tendency to lessen that attack because the boys who have been out now want in, and that explains the whole thing and while I am satisfied that the Governor-elect stands firmly, so far as he is individually concerned for the merit system, I do not think that the legislature does and if this national organization can do any good, then it seems to me that if they desire to strengthen the merit system in this country, that any assistance they can render towards preserving the present law upon the statute books of Ohio would be one of the most effective points that could be made. That plea may seem a little selfish on my part. I don't care anything about it from a personal standpoint. Life has been anything but one pleasant dream since a year ago last August. The sun hasn't shone any for me and the birds haven't sung. I haven't felt a thrill of music in my soul for fifteen months because it has been war, war almost up to the same point of agony that is going on across the water, so far as I am concerned. When you come to think that we have five million people in Ohio and practically every fellow man and woman, both, a politician you can imagine what our office has been for the last fifteen months. When this law went into effect, there were not three per cent of the people in Ohio that knew anything about civil service and it has been a tremendous task of education. I think in some places we have made a good impression and in some places a very bad impression.

Just a word here on some of the more important examinations conducted. We had the head of our normal

school system which was an appointment to be made by the state commissioner of schools. That is in the classified service. We held an examination for it, which consisted of experience and thesis. I can't go into that in detail but the effect of it was that that examination was conducted by Dr. Dabney, the President of the University at Cincinnati, and some other men of equal standing with him, and they certified the result of that. The consequence was that in that examination I think the best educator, or one of the very best in the state was selected to be the head of the new normal school system or training department in Ohio and that man was a man of opposite politics from the party in power.

Now, there is much more I think of that I would like to say, but that is all I can say at this time. The only thing that would seem to me that could interest you, as I understand you are interested in civil service reform all over the country would be the situation in Ohio and while you may not be able to give us any advice, you watch just a little bit during the coming session of the legislature and see what will happen.

**R. Francis Wood, of Philadelphia, presented the report for the Pennsylvania Association:**

A portion of our Pennsylvania report, must, we regret to confess, still deal with the preliminary process of civil service legislation. In view of the advance made by many states within the last ten years, the lagging of Pennsylvania in the cause of civil service reform is a matter of some reproach to our Association. We have seen state after state adopt advanced civil service legislation covering municipal and state employees, states that were still territories when the movement for reform in the civil service had already become a factor in Pennsylvania's public life, and we must still report that much of our activity for the last year has been directed towards securing civil service legislation applicable to our state and county employees and the employees in our third class cities.

At the last election Pennsylvania elected a governor and a legislature. An effort was made by our Association to secure proper pledges both from the candidates

for governor and the legislature, and to secure the insertion of a civil service plank in the several party platforms. Our first efforts met with gratifying success. In January, the progressive party held a conference and declared unqualifiedly in favor of the merit system, and after the primary, held in May, it was discovered when the votes were counted that the candidates of the three parties nominated for governor, were all clearly pledged to civil service reform. Subsequently, the platform committees of the democratic and washington party complied with the recommendation of the Association and declared very clearly in favor of a reform in the state and municipal civil service. Unfortunately, however, the republican party platform which was issued some two months later, about the first of September, very carefully refrained from making any reference whatever to our doctrine. In addition to this, communication was opened with the candidates for the legislature and state senate who had been nominated at the primary. Favorable replies were received from approximately half of the candidates. The election, however, was not kind to our sympathizers. A majority of them went down to defeat, and the pledges which we have are not enough to constitute a majority, so that the outlook for 1915 is not bright.

The Association, however, will present a comprehensive civil service measure and will endeavor to obtain the assistance of the governor-elect in securing its passage. There is some reason for optimism as to the success of this effort for Dr. Martin G. Brumbaugh, the newly-elected governor, declared for civil service legislation in the following words:

"The public service should be as efficient as private service. I believe in an administration of scientific efficiency and would approve a sane and practical state civil service act. My experience in administering such a law in the selection of teachers confirms this opinion."

Later in the heat of the campaign immediately preceding the November election, he answered the cry for a reform in the state highway department, the utter ineffi-

ciency of which was one of the prominent issues in the state fight, by the statement:

"I propose a wise state civil service which would include in its provisions those officers who would have charge of the highways of Pennsylvania, for highways are not political entities—they are economic necessities."

It would therefore seem that the governor is in sympathy with the merit system and his declarations give us some reason to hope that we can count upon him as an ally both in reference to securing new legislation and to protect the position we have secured. We will in fact need a friend in powerful official position in view of the fact that the civil service legislation already adopted for the large cities of Pittsburgh and Philadelphia, is not popular with the practical politicians and they can count upon almost enough legislators from these two cities to constitute a majority in both houses, and a forecast of the future would indicate that we will have occasion to defend as well as to attack in the 1915 session of the Pennsylvania state legislature.

In Pittsburgh, the election of a new mayor in 1913 and the subsequent dismissal of the civil service commission, followed by a number of dismissals in the service, together with reappointments, created a vigorous discussion particularly among the adherents of the defeated faction, who were summarily dispossessed. It is evident from statements received from some of our correspondents in Pittsburgh that there is still much work to be done in the cause of civil service reform.

The third class cities which constitute all but three municipalities of the state, have no civil service regulations whatever. The question has become a matter of peculiar concern within the past year. Prior to the legislative session of 1913, our third class cities were covered by an old fashioned bicameral councilmanic system with a mayor for chief executive officer. An effort to change this system, begun several years ago, was finally successful at that session. The measure introduced to accomplish this end in the season of 1911 contained a provision for the placing of the city employees under civil service regulations. This measure, however, failed

of passage and after some modification was reintroduced in 1913 and passed. Among the modifications was the elimination of any provision for civil service regulations.

At the election in the fall of 1913, the old councilmen were succeeded by the commissioners or councilmen provided for under the new act. They were chosen on a non-partisan ticket. In a number of cities, the mayor, who was elected for a period of four years, held over, and the political changes resulted in many instances, in the election of a board of commissioners of a political complexion different from that of the mayor. Difficulties concerning patronage, of course, arose immediately. In the city of York, for instance, a republican mayor found himself overwhelmed by democratic commissioners, in whom was vested control of the police and fire departments, a control that was speedily used in taking care of the democratic faithful at the expense of the rascally republican incumbents. A similar situation, except for frequent changes in the party title arose in Harrisburg and Wilkes-Barre and in many other cities, out of several of which came appealing letters from the mayors asking for advice, which might lead to the institution of strict civil service regulations. These letters were at first welcomed as indicating the birth of a new spirit of righteousness and their appreciation of the advantages of the merit system. A more careful investigation, however, disclosed that they arose more largely from the desire of the losing party to tie the hands of the winner. The situation has not, however, been without its lesson, and should enable us to advance with some show of success a proposition for civil service reform in third class cities. We ought at least, to be able to secure the support of citizens of those cities in which the scandal of the bickering between the mayor and the councilmen over appointments to the police and fire departments is a matter of such recent history.

Philadelphia, however, presents the most interesting field in Pennsylvania for the civil service reformer. This conclusion is reached, we believe, not only because of our proximity to that city, but actually because of the



fight that has been waged there, and the results which have been secured as partial fruit of that fight.

Our reports for three years have dwelt upon the Philadelphia situation. In our first, we were optimistic with the feeling that the merit system had supplanted for all time the spoils system in Philadelphia politics. We had then just won a decisive victory for the forces of reform in the city. We have since discovered, however, that the battle which we thought had been won by the victory at the polls in 1911 had just begun. The fiercest fight and the one requiring greater endurance and a higher faith has been the one carried on since that time. The attack upon the civil service law has been persistent and bitter. There has not been a loophole or a weakness in the law itself, or in the administration of the law that has not been seized upon as an opportunity to attack both the principle of the merit system and the officials who have stood by it. The strain, particularly in the early part of the administration was tremendous. But we are glad to be able to report that the city administration has stood its ground manfully and civil service reform has been a real factor in Philadelphia's administration since December of 1911, and continues to be such to-day.

The Civil Service Commission has been in earnest, and (we believe) efficient in the conduct of its department. Its work compares favorably with that of any commission in the country. It has undertaken examinations for positions of a grade which formerly were considered wholly beyond the possibility of an examination. I can do no better than quote a brief extract from the commission's report:

Several notable examinations were held during the year. Among them are chief engineer, department of city transit, salary \$6,000; chief, bureau of gas, salary \$5,000; chief engineer bureau of fire, salary \$4,500; chief bureau of city property, salary \$4,300; city architect, department of public works, salary \$4,300, and many others.

During this year the commission was confronted with a problem as great perhaps as ever presented to a municipal commission in this country namely, that of manning the new department of city transit expeditiously. The act of

assembly creating that department became effective July 1, 1913. The necessities of the new department required that all of its one hundred and forty employees, with the exception of eight, be high class engineers, draftsmen, rodmen, chainmen and tracers. It was not possible for the commission to take one step toward filling these positions until after June 12th, the date of the approval of the appropriation ordinance. Your commission is able to report, however, that at no time since the creation of that department has it ever been unable to fill all requisitions made by the appointing power. Eighty-six appointments have actually been made and eligible lists have long since been prepared to cover every remaining vacancy. The quality of the work done was evidenced by the fact that the director of that department made his appointments almost in the exact order of the standing of the men upon the list. In fact this great test of the merit system has been the feature of the work of the Commission for the year 1913.

An effort on the part of the administration has also been made to classify and grade the positions in the city's service and to introduce a system of efficiency records, which will simplify the question of promotions within the service. Considerable work has been done in this direction, but no definite action has as yet been taken.

In the 1913 session of the legislature, an effort was made to repeal the Philadelphia law or at least modify it in such a way as to remove from it the terrors which it now holds for the average political worker. Fortunately, these attacks were met and defeated although an effort on the part of our Association to secure the extension of the merit system to the state was likewise defeated. Our Association looks forward to a real future for civil service administration in the state, a future the basis of which will be the accomplishments of the present administration. We have shown the people of Philadelphia what the merit system can do in the way of securing good men and what it should do in the way of giving each applicant for appointment a square deal, and we are confident that a standard such as this can not be readily overthrown.

Our experience in the federal service in Philadelphia warrants us in believing that civil service regulations once established are not readily abandoned. In Philadelphia we have from five to six thousand employees of the

federal service in the civil departments, and notwithstanding the fact that one of the most spirited and vigorous campaigns ever waged in the ranks of a party was carried on within the democratic party of Pennsylvania prior to the primaries of last May, the post office, the customs service and the mint have all three weathered the storm comfortably, and with few exceptions, not only kept the employees out of the fight, but failed to make any marked change in the personnel of the departments in order to build up the forces of the administration. The new heads of the several departments have also been remarkably self-restrained in the control of their departments prior to the last election.

Throughout the state, however, particularly in connection with second and third class post offices, the situation is by no means so satisfactory. Last spring an investigation conducted by one of the newspapers in Philadelphia, afterwards verified by the Association, ascertained the fact that candidates for third class post offices were very frequently called upon to guarantee to pay a certain amount towards the expenses of the democratic party county committee, and in fact one county committee chairman stated ingenuously that he was told by his congressman to interview a number of candidates for certain third class post offices in the county, paying about thirteen or fourteen hundred dollars a year and that he found many candidates all decidedly eager to secure a place, so eager in fact that they swallowed his suggestion, that they guarantee to pay a portion of their salary to the democratic county committee, voraciously. With some shrewdness, he decided that a promise made before was not necessarily equivalent to execution after appointment. So in some cases he secured cash deposits and in others he drew up a curious form of agreement wherein the party of the first part promised and agreed to pay so much money to the chairman of the democratic county committee upon such and such a date in case of his nomination and appointment to such and such a post office. A Philadelphia newspaper made quite a story out of this action, and probably prevented further ingenuous confessions, although it is presumed that third class post-

masters still contribute with liberality to the party funds.

In conclusion we may therefore report for Pennsylvania that we have made a beginning in civil service reform, both in so far as the adoption of statutes is concerned and the enforcement of those statutes. Notwithstanding these gains, the fight has just begun. The ground we have gained must be fought for to be kept, and the battle between the forces of reform in the civil service and the forces that cry for the old spoils system is still being waged with variable success. A crucial time will come when the incoming legislature meets next month and when in November, 1915, we in Philadelphia elect a new city administration. We are optimistic, but not yet ready to shout that the victory is won.

**Glenway Maxon, of Milwaukee, presented the report for the Wisconsin Association:**

The work of the state civil service commission of Wisconsin is increasing year by year, both in respect to the volume and importance of the business that comes before it for determination. This is due in part to the fact that Wisconsin is governed largely by commissions which are gradually extending their sphere of action and increasing the number of employees. Interesting and new questions arise for the first time before the commission for determination. An instance of this was very recently presented to the civil service commission in the case of an application on the part of the commissioner of insurance who desired "to make a thorough investigation of state properties under the charge of the state board of control with regard to the protection of the property and occupants against danger by fire, and claimed that for this purpose it was necessary to employ expert engineers who are specifically familiar with the subject," and that "he desired to appoint two men outside of the state connected with the Independence Inspection Bureau of Philadelphia for this purpose." It was also claimed by the insurance commissioner that owing to the peculiar and expert nature of the work desired to be performed that there were no men qualified for such work available in Wisconsin. This request was not granted, but the secretary and chief examiner of the

civil service commission gave notice of a public hearing to consider the exemption from competitive examination of all positions as insurance examiners in the office of a state insurance commissioner for occasional temporary service, where compensation is in fees paid by the insurance commissioner.

The Wisconsin Civil Service League appointed a committee consisting of Messrs. N. P. Hulst, C. W. Norris, J. R. Bradford and the writer to attend the hearing. This committee appeared before the state civil service commission and raised the question as to whether the law was sufficiently broad to authorize the employment of the proposed experts and the expenditure of the money.

Upon this question the attorney general under date of Sept. 21, 1914, rendered a written opinion to the secretary of the state civil service commission in which it is stated: "The question thus propounded is really whether the insurance commission possesses the statutory power to do the work it proposes. This would seem to be a question with which the civil service commission is not especially concerned. That would seem to be a question that may properly be raised by the secretary of state when it comes to audit the salary of the men so employed if they shall be employed." \* \* \* "I cannot see that the interest of the civil service commission in the matter is any greater than it would be if the insurance commissioner had called for a certified list of stenographic or other clerical help."

It was suggested by our committee that such a rule would prove pernicious in practice and that the civil service commissioners ought in the first instance to determine whether there was an authorized position to be filled before taking action in the matter.

Thereupon a further opinion was requested and furnished by the attorney general to the effect that there was implied power in the act to employ these experts and this opinion was based upon the following provision of the statute: "For carrying out the provisions of section 1978a, 1978b, 1978c and this section, the commission with the approval of the governor may employ such assistance as necessary and fix their compensation." The sec-

tions referred to do not specifically authorize this work to be done nor the money expended.

We were overruled and the experts were employed by the insurance commissioner to make the detailed drawings and specifications of fire protection of certain public buildings. It was conceded that the legislature had made no provision for carrying into effect the proposed improvements. That the expenses of the expert examination would be in the neighborhood of \$7500 and possibly more and that the service would extend over a considerable period of time. The question thus presented is one of vital importance in the administration of the law.

There being no express authority for the employment and expenditure of the money, we believe it a dangerous doctrine to hold that the civil service commission must act when the application is made for the appointment of so-called experts irrespective of the question whether there is a position to be filled. The question whether the civil service commission should not first satisfy itself, that the law created the position to be filled and also provided the necessary funds therefor, was squarely presented in this application of the insurance commissioner, and the civil service commission seemed to be of the opinion that it was not their duty to determine these questions in the first instance. Whether right or wrong, we believe that this is a lax and dangerous method of procedure, and if the law is defective in this respect it should be amended. It requires but little intelligence to comprehend that a state governed so largely by commissions as is the state of Wisconsin, necessitating the employment of a large and expensive force to carry out the provisions of law applicable thereto, that such employment and expenditure should not rest upon a mere naked implied authority. Such governmental procedure trenches too closely upon the legislative power of the state. It ignores the great underlying principles of a government like ours, republic in form. It leaves room for arbitrary and capricious action, and authority to enforce the law in one instance and suspend it in another. Such administration of the law is liable to become autocratic, uncertain and arbitrary in its nature. So-called

progressive legislation is not always easy to interpret because of the fact that it is susceptible of almost any interpretation that the incumbent official may see fit to place upon it. Governmental procedure viewed from these statutes without reference to the fundamental principles underlying our form of government is confusing and bewildering. Lawyers cannot always understand and interpret them. Constitutional provisions which are intended to maintain an integrity of the executive, the judicial and the legislative departments of government distinct and independent, are overlooked.

The writer is not opposed to so-called progressive legislation, but legislation which fails to recognize fundamental principles of our form of government is dangerous. Progress in governmental procedure should be a matter of evolution rather than revolution. It should evolve from and recognize fundamental principles. A departure from well recognized constitutional provisions would be dangerous and if tolerated must ultimately lead to usurpation of power.

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At 1:00 p. m. the delegates and ladies were entertained at Hull-House. During the luncheon hour Mrs. Pethwick Lawrence, who was present, addressed the delegates and guests, giving her nine fundamental propositions for constructive peace.

## SECOND SESSION.

Red Room, Hotel La Salle,

Thursday Afternoon, December 3.

AT 3:00 p. m. the League reconvened in the Red Room of the Hotel La Salle. President Dana in the chair.

Hon. Michael L. Igoe, a member of the Illinois Legislature, delivered an address on the practical way to obtain civil service legislation.<sup>1</sup>

Mr. Herbert E. Fleming, Editor of the *Civil Service News*, delivered an address.<sup>2</sup>

Mr. L. E. Swartz, Vice-President of the Garden City branch of the National Association of Letter Carriers, delivered an address on retirement legislation.<sup>1</sup>

Mr. Merritt Starr submitted the following resolution for the consideration of the League:

**RESOLVED**, That the National Civil Service Reform League approves the principle of retirement allowances for members of the national classified service.

Upon motion, the resolution was referred to the Council of the League for report.

Reports from Associations comprising the League were presented as follows:

**Hon. Charles B. Wilby** submitted the report for the Cincinnati Civil Service Reform Association:

Mr. President, I have but very little to say for Cincinnati; as this last year has not been fruitful of interest to the League. But we have had some experience that illustrates the truth of what Mr. Whitman said this morning in his opening address, as to the change in public opinion with reference to the law. He called attention with reference to this reform as it once was called all the time. We have ceased to be obliged to speak of it as something for which we hope. We now speak of it as something we have that we want to hold on to. But Mr. Whitman spoke of the early derisive designation of our efforts as "snivel service" reform. I can remember when that was constantly the appellation of one or two of the Cincinnati papers; and we have had an illustration in Cincinnati of the change in public opinion. A year ago the League was told as to how the Cincinnati Association had helped give the new law figures to start under the administration of Mayor Hunt. Since that time we have had a backset. We have a local Tammany in Cincinnati. I think that is the best name to give it. It does not sail under the same flag as the Tammany you people in New York are familiar with; but pirates always sail under a friendly flag and these Cincinnati pirates sail under a flag that is friendly to most people. It upset the calculations of those that hoped to see the law that had been put in motion by the efforts of Mr. Goodwin



when he came at the behest of the Cincinnati Association and gave us a good start. And the new mayor has succeeded in getting rid of the old Commission—after a year he has succeeded in getting rid of the old Commission. I think the new Commission is building for themselves trouble and the Association is preparing to make that trouble for them. When we talk to them about it now they say: "Oh, we are not afraid of the prosecuting attorney." And I have reason to believe they need not be afraid of him. But now I can illustrate what Mr. Whitman said. The new administration made a vigorous attack on the law—they all professed during the campaign that they wanted civil service and other reforms; they were in favor of it. But it was not exactly the brand they wanted. The brand Mayor Hunt had been establishing was not their kind. They were afraid to say in the face of one hundred thousand majority in favor of the constitutional amendment that the returns had shown on that question, and they did not like it at all. But they put themselves in the position of the rat that says to the householder "I don't like your poison; it is not strong enough." The first thing they did the city solicitor brought suit to declare the law unconstitutional. That is in the suit brought by a discharged employe for mandamus. His answer was, What of it, the new law is unconstitutional and his grounds declare the professed civil service reformer of the Tammany type. The first was because the constitutional amendment provides that the office of state, county and municipalities shall be filled by competitive examinations. He said the law was unconstitutional because there was a provision in some exceptional case for a non-competitive examination. He tried to get rid of the old law for that. He did not succeed. Then he tried to get rid of it because the law provided incumbents at the time the law took effect held their positions subject only to non-competitive examinations. He brought up the statute which declared the legislature had no right to make appointments under the constitutional provision. He claimed that this was a violation of that constitutional provision because it vir-

tually was an appointment by the legislature. I am glad to say our courts have quieted these two contentions. And it shows, as illustrating what Mr. Whitman said, that they are afraid any longer to oppose the law as such. Their attacks must be covert stabs in the back. They cannot come out in the open and say "We do not believe in this law" any longer. I think that is a great progress we have made. I remember the day when we had to fight all of these prejudices that our friend Mr. Igoe so well told us of.

Now, I must refer in closing to what we owe to Chicago. I believe Mr. Hoskins told you of the great help that the Chicago Commission gave him in his work when he was starting to work with the Ohio State Commission; and I cannot but refer also to the help it has given the Cincinnati Commission. Major Miles came down and spent a day or two with us. Mr. Laner and Mr. Catherwood have been in Cincinnati, and we look to Chicago. I can remember the time and some of my friends remember the time when they had a Massachusetts law—well, just after the passage of the federal law they had a Massachusetts law and a New York law and there was a tall, fine man by the name of Ela, I think, from Chicago, John W. Ela. He attended these meetings constantly and fought for the establishment of this system in Chicago in Illinois, and I wish John W. Ela could see this day, when the whole country looks to Chicago for the best that there is in this work.

**William V. Kellen, of Boston, submitted the report for the Massachusetts Association:**

A new civil service commissioner has just taken the place left vacant by Prof. Droppers's appointment as minister to Greece. He is Harvey N. Shepard of Boston, a lawyer and a member of our Association and should prove to be a very efficient commissioner. The present chairman is Thomas F. Boyle, a leather merchant in Boston. He has shown courage in withstanding great political pressure upon him and has given much time to the work. There are political rumors that he will soon be appointed to another commission, so we are already considering whom to recommend as his successor.

The work of the Massachusetts commission is rapidly increasing, so rapidly indeed that, owing to lack of adequate quarters and appropriations, its work is not entirely satisfactory. An annex is being built to the state house and the commission is offered a good big space in it. As evidence of the increase in its work, let me mention that the clerk's examination, at which a year ago there were over 1100 candidates, was taken this year by over 1800. Owing to the difficulty—largely financial—of holding examinations as often as they should be held it frequently becomes necessary for the commission to permit provisional appointments, or to certify names from eligible lists that were not established for the position for which requisition is made, but for some similar position. This difficulty has been increased because the legislature has recently established new commissions and thereby created many new positions.

The opposition to our bill filed each year for the classification of county positions is distinctly weaker and we look for success before very long. Last year the only serious opposition came from the sheriffs, who called to their aid the old, but effective argument, that as they are financially responsible for the acts of their deputies they should be permitted to choose men whom they can trust.

The Massachusetts legislative session of 1914 was a very busy one. The total number of bills introduced made a record and those affecting the civil service reached the unprecedented number of 80 or more. Civil service employees now fully realize the benefits that come to them when their positions are classified and more than 30 of the 80 bills were for the classification of new positions of various kinds. Very few of these bills became law, because owing to the "covering in" principle, the legislature felt that the passage of such bills would give almost permanent tenure to present incumbents, whether efficient or not, and that it would be difficult to get rid of the inefficient ones under the present Massachusetts removal law which gives an appeal to the district courts. In passing, it may be said that it is really too soon to make any satisfactory statement as to the effects of the present Massachusetts removal law.

There were no novel bills introduced last year unless the bill to require the appointment of the highest on the list can be so characterized. This bill was not pressed and was defeated.

An opinion seems to be gaining popularity in Massachusetts to the effect that the merit system should be logically administered; that is, one hears the view frequently expressed that if we are to have a merit system let us have it, and let us give the position to the man doing best at the examination, and if the examination does not put the best man at the top, so much the worse for the examination. And from this follows the view that when a man has demonstrated his fitness he should be given a hearing before some neutral official or board before being discharged. The hearing before the discharging officer is considered a joke. I think it safe to say that these views are held by a large majority of the voters.

The Chicago system is not well enough understood in Massachusetts to have attracted public discussion.

A very hard campaign against the Spanish war veterans' preference bill was again engaged in. The defeat of preferential legislation for them has many times been gained only by a veto. This year Governor Walsh was openly reported as being unwilling to veto a bill of this sort. The house and the senate were for the bill. Realizing fully the predicament we were in, we decided to employ a publicity agent and stenographer and to do all we could to keep the fight before the public. We obtained the names of 1500 or more eligibles, wrote them the facts, showed them how they would be affected by the passage of the arbitrary 5% bonus bill and thoroughly aroused them. They did all they could to influence their representatives and senators. Then we obtained, or rather let me say the women obtained, for they did most of this work, the adoption of resolutions against this class legislation by 80 or more trade and civic organizations. We circulated the press. We communicated with all the ex-governors, except one or two out of reach, and they all opposed the bill. We had weekly stories in the papers about the nature and result of the legislation pe-

tioned for by these veterans. Never before did it become so important a public matter. Nevertheless the committee was against us and reported the bill in the house. Things looked very, very bad indeed. We decided to offer an amendment to the bill, placing a referendum upon it. We argued in this way. The democrats had been publicly advocating referendums all the session. The democrats were going to vote for the bill in large numbers. We felt they could not refuse to accept the referendum, and we knew, too, that many of them would rejoice at the possibility of shifting to the people the responsibility for the passage of this legislation. The referendum was, therefore, suddenly offered and adopted before the house quite realized what it had done and the Spanish war veterans could not get reconsideration on a roll call. So the bill reached the senate with its referendum, and the senate, too, liked the referendum. When our opponents saw that they must go to the people with their measure they decided to drop the bill. It was then defeated, only three or four senators voting for it.

We are informed that next year a bill with a referendum will be offered, and that this bill will be far more serious, for it will provide that the Spanish war veterans shall be on an equal footing with the Civil war veterans. Predictions are risky—especially in politics—so we must wait to see what will happen next year. We may become involved in a hard and expensive campaign before the people of Massachusetts.

The following reports from Auxiliaries and Associations were received, to be printed in the Proceedings:

**From the Women's Auxiliary of Maryland:**

The Maryland Auxiliary to the Civil Service Reform Association has endorsed sundry bills favorable to the merit system and protested against others inimical to the service. It has provided speakers for boys' clubs and Boy Scouts and has co-operated with a committee from the Woman's Civic League of Baltimore in an endeavor to procure for the city a thoroughly modern and up-to-date immigrant station, for which the commissioners and

Congressman have had the plans already prepared. Lectures on "good government" have been given to neighborhood gatherings at Lawrence and Warner settlement houses, and three illustrated lectures on "The Land and How We Won It" to prominent public schools in the city. It has a second lecture—"The Land and How it is Governed"—in preparation. At the Arundell Club a joint meeting was held with the National Municipal League. We have been promised a number of eminent speakers for parlor meetings. The Maryland Auxiliary was the first woman's organization to contribute to the Red Cross (\$200), and, while this may not seem quite in line with our technical work, it was for the healing of the nation.

I believe Mr. Shanahan was to talk about the practical method of obtaining civil service legislation and Mr. Blackwood intimated that perhaps I should talk along the same lines. Now, I understand that some of you delegates came here from outside of this state and I don't know whether there is anything peculiar in the manner in which the subject is stated or not; when they want us to talk about the practical method of obtaining legislation from the Illinois general assembly; but I will go along and do the best I can.

#### **From the Women's Auxiliary of New York:**

The New York Auxiliary takes pleasure in submitting the following report of its activities since the last meeting of the League:

Continuing our work of previous years, we have sent educational pamphlets by the thousands to schools and classes throughout the country. The distribution of this literature is limited only by the fact that our funds will not permit of the printing of more copies. It was decided this year to circularize schools only in New York state instead of in other states as heretofore. As a result, the great proportion of our pamphlets, about 25,000, have been sent to the schools of our own city and state. We are constantly encouraged by the requests voluntarily made from those who have been using this literature for some years.

The question of the opportunities for training pros-

pective government employes is one that has interested our Executive Committee for some time. Last winter we decided to begin a study of the classes preparing for government positions in both the public and private schools of the city. The following questionnaire was sent to the principals of the evening schools where it had been announced that classes would be held:

1. Have you had any class or classes that gave instruction to men preparing for positions in the civil service?
2. If so, for what positions?
3. Have you had any such class or classes for women?
4. If so, for what positions?
5. What subjects were taught?
6. What was the attendance?
7. If there has been no such class, have you had any requests for such instruction, and about how many? Why was the class not held?
8. Who has taught the class?

Replies were received from seventeen out of the nineteen to whom the questionnaire was sent. These showed that classes had been held in thirteen of the seventeen schools during the winter session. In two other schools there had been classes for a short time. One of them lasted for two months and was discontinued after the postal examinations were held. In the other the class was at first very large, but the principal said it soon fell off and was discontinued. One principal wrote that he encourages the students preparing for the post-office department to continue their studies and try for the custom-house examinations. The men preparing for the police department are advised to prepare for the fire department also. In this way, interest is maintained, and the men are given more than a very short course of study.

In reply to the question of attendance, eight schools reported exact numbers. These varied in the different schools from ten to thirty. The average attendance was

twenty. As has been indicated, the attendance varies according to the nearness of the examination, and falls off when the examination is over. In one school, only two applied for instruction in a class for police matron. It was not given as it is impossible to have a class for so small a number. The largest number of applications come from young men who want to try for clerical positions. Four of the schools prepared only for clerical positions in the custom-house, post-office, railway mail, and other branches of the federal service. Eight announced instruction for positions in general, and offered to prepare for the educational tests. Only one school reported as to the success of the students. About a dozen from this school had been placed in positions in the municipal and federal services during the winter. The criticism is generally made of the classes that they are of no aid to applicants unless they come in comparatively large numbers. It is also said that in some schools it has been impossible to get expert teaching for the varied positions that are open. Principals say that it frequently happens that notice of the examination is not given early enough to enable candidates to make proper preparation for the tests. One principal said "I am convinced that proper preparation and training for positions for women in the civil service could be successfully furnished in the public schools, on condition that enthusiastic, efficient teachers could be obtained, and adequate information and due time for preparation could be provided." The private schools and classes may be described as of the "coaching" or "cramming" type. They represent a great variety of character and equipment. Some prepare especially for the popular examinations,—policemen, firemen, postal employes, etc. Others give especial attention to individuals seeking promotion in their departments, or wanting preparation for positions demanding exceptional knowledge. It is too soon to make any conclusions regarding the efficiency of these schools. We may be able to give an opinion on this subject after the work of the present winter. We look forward to a time when we shall have an adequate and worthy preparation for the



civil service that shall compare with the opportunities in the naval and military branches of the government.

For some time the Auxiliary has considered that it would be desirable to have other branch auxiliaries in this part of the state, or at least closer co-operation with the civics committees of the Women's Clubs. To this end we have been laying our plans, and we hope to work out some satisfactory method of co-operative effort that shall stimulate and strengthen our educational interests.

The Auxiliary has joined with other Civil Service Reform organizations in protest against measures that threaten the principles of the merit system. In New York we had especial occasion to protest against the exclusion of women from the examination for positions in the new state employment bureau. The first examination was open only to men, but following closely upon the wide protest against this action, another examination was held which was only for women and the eligible list was made up of both men and women.

We have lost nine members and gained one during the year.

The usual contribution of \$200 has been made to the work of the Civil Service Reform Association and the National Civil Service Reform League.

**From the Civil Service Reform Association of Connecticut:**

Connecticut has made definite progress in adapting the new law to its state service. A state civil service commission selected from friends of the merit system has done much hard work for the love of it, and has succeeded with a minimum of friction in getting into running order. Connecticut had been for many years in the almost uninterrupted control of the Republican party, but had shown enough independence to make the party leaders chary about too open fighting for spoils. Consequently the service in many departments, while selected from the ranks of the dominant party chiefly, had been selected with some care. In only a few places did the tracks of the political machine make a conspicuous feature of the landscape.

The new civil service commission realized that this

condition called for considerate treatment and it has used the very considerable discretion in its hands to make the transition conform to the gentlest spirit of the law. Under the law there is no non-competitive class between the exempt and the classified service. There are only non-competitive places where a pending appointment may be made without competition. The commission has been liberal in permitting such appointments in the absence of eligible lists, except in one or two cases where there seemed to be a deliberate intent to disregard the law.

The Attorney General has rendered several opinions which are open to criticism, based largely on a supposition as to what the intent of the legislature, which enacted the civil service law, might possibly have been.

**From the Civil Service Reform Association of Denver:**

The past year closes the most active biennial period of the Colorado State Commission. The first half of the period was chiefly taken up with the work of re-organization required by the adoption in November, 1912, by the people of important initiated amendments to the original civil service act of 1897, which became operative in January, 1913. These amendments extended the classified service to all appointive chiefs of executive state departments, and to nearly all legislative, executive and judicial employees. This extension not only increased the number of persons in the classified service some three-hundred per cent. but greatly augmented the variety of classes and grades of persons to be examined.

The second half of this biennial period was the most active and most productive of good results since the enactment of the original law, which was largely due to the fact that for the first time in its history the State Commission had enough funds secured by the continuing minimum appropriation of \$5800 annually, provided for in the initiated amendments, to enable it to do at least a portion of its work. This amount the last general assembly could not withhold, although it refrained from giving a larger and much needed sum to the Commission.

The most important results were obtained through a series of examinations leading to the creation of eligible

lists from which were appointed employees of the general assembly at its extra session, as also the appointive chiefs of the executive departments of the state government and of state institutions, not educational in character, and their employees.

The following positions were thus filled, as vacancies occurred:

	at a	
Commissioner of Insurance.....	salary of	\$2000
“ “ Public Printing ....	“ “	2500
State Inspector of Oils.....	“ “	1600
Commissioner of Immigration.....	“ “	3600
Game & Food Commissioner.....	“ “	2000
State Inspector of Steam Boilers.....	“ “	2500
Superintendent Insane Asylum.....	“ “	3000
Warden of State Reformatory.....	“ “	2500
(the last two with full maintenance at the institution.)		

All of the state departments and institutions, where the chiefs have been selected by competitive examination and appointed for good behavior (all definite tenures having been abolished by the amendments), have shown most gratifying results in the greater efficiency and economy realized, as the following instances will illustrate:

The state printing commissioner in his biennial report shows a saving of \$8000 over any year in the last decade, notwithstanding a greater amount of printing done than in any previous year.

The Game & Fish Department for the first time in the history of the state is self-supporting, although it has largely increased its efficiency and output, and the number of arrests and convictions for violations of the laws, with only sixty-five per cent. of the former number of employees.

The same results are shown in all the departments whose chiefs are now in the classified service, when compared with the extravagance and waste of previous administrations.

The State Commission has had to make a revision of its rules to meet the changed conditions, the most important perhaps being that in relation to discharges. The new rule gives the Commission the duties of a

Supervisory or Disciplinary Board with power of its own motion, or on the complaint of any citizen, or at the suggestion of the chief of any department or institution to investigate the efficiency of any officer or employe in the classified service, or of any group of such employes, and if found inefficient, to secure his or her removal from the service or the application of the appropriate discipline.

An entirely new body of rules were adopted by the Commission to meet the increased demands of a classified service enlarged by the new city charter to take in every employee in all the departments. There has been a much more effective enforcement of the civil service provisions of the charter realized during the past year than at any previous time.

The general effect of the more extensive application of the merit system in the state government and that of the city of Denver has been to strengthen it in public opinion, and to remove much of the misapprehension existing as to its real meaning and benefit to the public service.

The inclusion of the executive heads of state departments, in the classified service for the first time in any state has given the electorate a demonstration of peculiar prominence not before possible of actual tangible improvements and economies resulting directly from the operation of the law. The fact that practically all appointive positions in the service of the state and of its largest city are under the merit system makes it easier to enforce the law. A series of judicial decisions rendered during the past year sustaining the law has greatly strengthened it in public confidence. The civil service law is now established in Colorado, upon a firm foundation, from which it will be difficult to disturb it.

#### **From the Civil Service Reform Associations of Illinois and Chicago:**

The year 1914 has been one of quiet progress for the merit system in Chicago and Illinois. While there has been little in the way of "fire works" there has been a steady advance for the principles of the merit system.

December 31st, 1913, the Civil Service Reform As-

sociation of Chicago was incorporated just subsequent to admitting women to membership on the Board of Directors. Thus the year had an auspicious beginning and its accomplishments are important and in some instances far-reaching in their results.

The women have entered into the work vigorously and have shown themselves to be worthy champions of the cause of merit. From January 1st to the present date they have been active in the work and have borne their share of the burdens in every way. All year their work has been especially effective in carrying the message of civil service reform to the general public. A speakers committee was appointed and Mrs. James E. Quan as chairman has furnished speakers for more than a score of meetings and now has several engagements to fill. As a result of this work the associations have received many inquiries concerning its activities and the merit system in general and the directors are convinced this phase of the work should be pressed even more vigorously the coming year. There is on foot a movement to carry it into the public schools as far as possible.

The field of the Illinois and Chicago Associations embraces over 40,000 merit employees. Six important civil service commissions have jurisdiction in this territory. They are the Federal, City of Chicago, State of Illinois, West Chicago Park, Lincoln Park and South Park Commissions. The activities of the associations have touched all, but it is the purpose of this report to relate a few of the more important acts rather than to consider the individual commissions.

Curiously enough one of the first and most important cases with which the associations were concerned during the year and which had been carried over from the year previous, was that of a woman. The result of this case was a decision by the Supreme Court April 20th, 1913, upholding the constitutionality of the state civil service law. By this decision 5,000 employees were held in the ranks of the merit system. Had the decision been adverse, and the attorney general of the state sought to have the law declared invalid, the advocates of the merit system would have been faced again with the necessity

of the passage of a new law for the state service. President Whitman of the Chicago Association and Attorney Edgar A. Bancroft, a member of the Board of Directors, acted as counsel in the support of the state law with Attorney Joseph M. Connery, who had active charge of the case.

Before the case affecting the state law had been decided the Chicago Association was called upon to furnish counsel for the Cook County Civil Service Commission in an effort to maintain the right of the Civil Service Commission to be represented by friendly counsel of its own choosing in matters of litigation affecting the Commission. Attorney William B. Hale, a vice president of the Chicago Association, volunteered his service and the result was a decision in the Superior Court of Cook County securing to the Civil Service Commission the right to choose its own counsel without incurring expense to the county.

An examination is being held today and tomorrow for secretary and chief examiner of the Civil Service Commission of Chicago. This commission has charge of over 20,000 employes and has been in existence since 1895—almost twenty years—but the position of secretary and chief examiner has never been considered in the classified service, a new secretary being appointed at each change in administration on the patronage basis. There is no question but this position, affecting the number of employes it does, is one of the most important positions in the entire country and its addition to the classified service is a distinct advance for merit.

These are some of the marks of advance. True, there have been many complaints but in most cases they are the results of the system itself. In other words, the majority are traceable to three causes. They are: exemptions, blanket clauses and the abuse of temporary authorities. In the past many politicians while agreeing that merit is a good thing have insisted that too much of it was not desirable, and the result has been that civil service reformers might take their choice between half measures or none. In many instances this has left the most important position in a given office, and in

almost all instances the position of most direct contact with the political machine, exempt. Through this political pivot the evil effects of the discarded spoils system filters all too frequently, the result being that fearless and impartial administration by its friends is not secured to the merit law. Instead of administrations that lean toward merit it results in administrations that shy at merit. It is the difference between the free horse that willingly bears his share or more of the load and the lazy horse which must be urged and forced and above all constantly watched.

Blanket clauses covering into a service persons actually employed when the given law takes effect in many instances may retain to that service employes of unquestioned merit, but unfortunately they may also retain undesirables. How much better would it be to require a test of fitness within a given length of time after the application of the law.

The elimination of the abuse of temporary authorities will come about largely by weeding out the other features of civil service laws which hold political influence within the ranks.

In this connection mention is made of ever increasing activity in the ranks of civil service employes. This activity is in the main for the good of the service and there is a strong conviction that when employes not only realize their rights but also assume their responsibilities in the same degree, another strong weapon will be added to the defense of the merit system. Many of the local organizations are doing commendable work in this direction. Another local champion is the Civil Service News, a paper edited and published by Mr. Herbert E. Fleming, former secretary of the local association. It is steadily extending its influence and stands ever for a public service filled with individuals of ascertained and sustained fitness.

Looking to the future the local associations have made preparations to urge upon the next session of the legislature passage of new laws and amendments to some existing laws. Among these are the new Cook County Law, a law for the Sanitary District of Chicago and a law

for the Municipal Court of Chicago. Amendments are needed to bring into the classified service state building and loan and bank examiners, state house clerks and watchmen, employes of the general assembly and attorneys in appointive positions. In preparation for the campaign before the legislature the associations sought information regarding the stand of various candidates during the recent primaries and election. The result is that the state platform of each party has expressed itself in strong terms for the extension of merit rule and a majority of the members in both the Senate and the House of Representatives have given individual assurances that they favor the extension of the system. While they do not all favor all the extensions sought if they express themselves in the assembly as they have outside these associations will be enabled to report the passage of new laws and the extension of existing laws at the next annual meeting.

**From the Civil Service Reform Association of Maryland:**

The activities of the Maryland Civil Service Reform Association during the past year in so far as regards the national civil service law have been mainly confined to the passage of resolutions of protest and letters to our Senators and Representatives in the Congress of the United States opposing various bills before that body, some of the provisions of which were, in our opinion, distinctly hostile to the continuance of the merit system. These resolutions and letters were all along the line suggested by recommendations of the National League, and it would therefore be useless to recapitulate them or to tell how far they have been successful.

In regard to the further introduction or extension of the merit system in the state service or in that of any of the cities, it was so apparent that the great majority of the members of the new legislature, which began its session on January 7, 1914, were bitterly opposed to the merit system, or to anything resembling it, that it was judged unwise to introduce into that body any bills bearing upon that subject lest the effect of them should be to offer temptation for the repeal of such parts of the



merit system as we already have in force, and we have therefore confined our efforts to the public advocacy of civil service reform before the citizens generally as occasions from time to time arise. We had one of the weekly meetings of the Baltimore City Club devoted to the discussion of civil service reform, at which addresses were delivered by Hon. George McAneny, President of the Board of Aldermen of New York, and Hon. Lewis Van Dusen, a Civil Service Commissioner of Philadelphia, on February 14th last, which attracted much interest in those who heard them, and it is believed will bear good fruit in the future. Also at our annual meeting on March 27th, we had the pleasure of hearing Hon. Franklin Delano Roosevelt, Assistant Secretary of the Navy, who delivered an admirable address upon the successful working of the merit system in the department with which he is connected.

**From the Civil Service Reform Association of New Jersey:**

The progress during the past year of the reform for the promotion of which the Association was established has been in many respects highly encouraging, but much remains to be done to give the law the full results it was intended to secure.

The work of the New Jersey Civil Service Reform Association has been supposed by many public-spirited persons, who are not acquainted with the facts in the case, to have been practically accomplished, but the truth is that the work of our Association is only well begun, and its most important work remains to be done. Indeed, there has never been a time in the history of the Association when widespread and ample support in money, service and patriotic interest was more needed than it is now.

The Association renewed its activity just in time to prevent the passage of two of the most objectionable bills which have ever been introduced in the New Jersey legislature. One (Senate Bill 243) removed from the protection of the civil service law a number of positions for which eligible lists had already been established by the Civil Service Commission and sought to place in the exempt class such positions as clerks and stenographers

in the prosecutor's office and custodians in the state or municipal buildings. The other (Senate 244) provided for local unpaid civil service commissioners in municipalities throughout the state to be appointed by the Governor. The passage of this act would have forced upon thirteen municipalities, which have by popular vote adopted the present civil service system, an entirely new and dangerous system. Through the efforts of the Association only one of these bills was reported out of committee. Late in the session an obnoxious substitute for No. 244 appeared providing for a civil service commission of two members to be appointed for overlapping terms, the Governor acting as the third member. This substitute was also killed after an active campaign.

Whether Comptroller Edwards was responsible for the introduction of the bill providing for local civil service commissions is not a matter of public record, but it is a fact that in September he gave out a public statement attacking the State Civil Service Commission as too great an expense to the state and stating that in his opinion the law should be so amended as to provide for a local examining board for each municipality that has adopted the civil service system in order that the expense may be borne locally. He intimates that he will be instrumental in having another bill introduced in the coming legislature providing for local civil service commissioners. This should be sufficient warning for the Association to be prepared for the attack. This system is to be deplored for many reasons, but two stand out conspicuously among the others. One is the lack of standardization or uniformity. The standard of one city would not apply to another, the ruling of one municipality contradict that of the other and a whole flock of civil service commissioners would seem another name for chaos. The other reason is that from the experience in Buffalo and other places it is known that local unpaid commissioners will give little, if any, attention to the duties of the office and will allow the administration of the law to run along in a slipshod manner, and the benefits of the merit system will be largely lost as a result of the system. Local civil service commissioners would be welcomed with open

arms by the wily politician because it opens up a new source for political plunder which is now impossible because the administration of the civil service law is in the hands of a personally disinterested central body.

The Association opposed the action of the State House Commission in appointing John A. Smith as custodian of the state house without regard to the civil service law, the position being in the competitive classified service of the state. Attorney-General Wescott rendered an opinion regarding the classification of the position and instead of passing upon a question of law he dwelt particularly upon an act of discretion of the Civil Service Commission. The Association contended that competition was practicable, the duties of custodian being chiefly those of a head janitor. At a hearing before the Civil Service Commission in Trenton President Colby appeared for the Association in behalf of the competitive classification of the position. Notwithstanding the extraordinary opinion of the Attorney-General and the general demand from friends of the merit system that the position be continued in the competitive class, the Civil Service Commission, on October 21, adopted a resolution placing the position in the exempt class. The effect of this action was to validate the appointment of Mr. Smith, notwithstanding it was made regardless of civil service regulations.

On October 5 the Association sent 164 letters to the principal candidates for the State Legislature asking them for a statement of their attitude toward the merit system in four specific questions as follows:

1. We favor retaining the present civil service law. Do you?

2. We favor a single State commission for the civil service law rather than local commissions. Do you?

3. The present State law permits counties and municipalities to accept its provisions by referendum. Do you favor this provision?

4. Will you vote for an adequate appropriation for the State Civil Service Commission?

Although the response to the letter was not as general

as was hoped, the result has been gratifying to the Association. Eighty-five candidates answered the questions favorably. Of the eight State Senators elected, six declared themselves favorable to the merit system, and twenty-five of the elected members of the Assembly answered in the affirmative. The encouraging feature of the campaign is that not one unfavorable letter was received.

The Association assisted in the campaign for the adoption of the civil service referendum in Union County, and the vote of over two to one without the loss of one municipality clearly demonstrates the continued popularity of the merit system and disproves the many falsifications of its enemies with regard to the law's operation.

The Association plans to draft and have introduced at the coming session of the Legislature various bills that tend to improve the civil service, and, encouraged by the result of the recent election, hopes to see them enacted into law. For the successful performance of this important function the Association needs a larger annual income and a greater number of earnest individual members from all over the State and particularly from the sections of the State which have not exhibited much interest in the cause of civil service reform.

The potential usefulness of the Association has never been so great as now. The opportunities for beneficent achievement which lie before it are greater than any the past has offered. The evils against which it is now contending are as threatening as any it has ever met; and now, as heretofore, the reform which this Association urges is the "fundamental reform underlying all other improvements in the conduct of public business."

#### **From the Civil Service Reform Association of New York:**

The New York Association has to review one of the lusiest years of its existence. With the incoming of the fusion administration of Mayor Mitchel, the New York City Civil Service Commission was reorganized with the appointment of Dr. Henry Moskowitz as president to succeed Frank J. Gallagher and Darwin R. James to succeed Commissioner Richard Welling. Alexander

Keogh, the third member of the old commission, was retained by Mayor Mitchel. The new commissioners, although they had had no previous experience with civil service matters, were friends of the merit system. In April, the Commission accepted the resignation of its secretary, Mr. Frank A. Spencer, and appointed in his place Robert W. Belcher, who had served with distinction and honor as secretary of both the New York Association and the League since 1912. Although the Association accepted with regret the resignation of its Secretary, yet it felt that the City was to be congratulated upon securing the services of Mr. Belcher, whose broad knowledge of civil service conditions and problems have been and will continue to be of valuable assistance to the Municipal Commission. On the whole, the new commission has done good work and it is particularly to be commended for its action in placing in the competitive class six important committee secretaryships, to the board of estimate and apportionment, requiring technical qualification of a high order.

Following its usual custom, the Association early in the year made an examination of the records of the State Commission for the previous year. In March, 1914, the Association made public the results of its investigation of the State Commission. The report showed that the state civil service had been administered in a most deplorable way. The State Commission appointed by Governor Sulzer and consisting of Jacob Neu, president, Dr. Meyer Wolff and James A. Lavery, had committed depredation after depredation and had violated both the letter and spirit of the civil service law. The number of exemptions allowed by the Commission in 1913 was equalled only three times in the history of the state and the special exceptions permitted by the law when a position called for peculiar and exceptional qualifications of a scientific, technical or educational character in order to permit the appointment of a person of high and recognized attainments and when the Commission is convinced that competition is impracticable, were allowed in such places as billing machine operator, stenographer, building

inspector, estimate clerk, financial clerk and court messenger.

The Commission had laid itself open to the most serious criticism in the authorization of the appointment without examination of relatives of the commissioners, including the wife and two close relatives of Commissioner Wolff, a son of Commissioner Neu and a brother of Commissioner Lavery. The law partner of Commissioner Neu was paid \$150 for drafting a bill to give the commissioners fixed terms to prevent their removal except with the approval of the State Senate and to increase their salaries from \$3,000 to \$5,000 per annum. These are only a few of a large number of actions of the State Commission which were open to serious criticism. The Association submitted its findings to Governor Glynn, on March 19 as follows:

"For the appointment of the present State Civil Service Commissioners you are, of course, in no way responsible, and the provisions of the civil service law in regard to the removal of civil service commissioners which, against our opposition, were actually obtained by the present Civil Service Commission in 1913, make it impossible for you to reorganize the Commission, unless the Senate shall consent to the removal of the commissioners. The undisputed facts set forth in our letter of March 7, indicate, however, a most serious condition in the administration of the civil service law, showing not only actual violations of both the letter and the spirit of the law in some particulars, but also a lack of appreciation by the present Civil Service Commissioners of a decent standard of official and personal conduct and attitude toward the dignity of their office. Interested as we are, therefore, solely in proper administration of the civil service law in this state, we venture to hope that this matter will receive your serious consideration and that steps may be taken at an early date to correct the situation which now exists."

The State Commission, after considerable delay, made answer to the Association's charges. It did not question

any of the facts alleged in the charges, but said they were based upon "matters concerning which the Association holds opinions contrary to those of this Commission, as shown by the action taken." The Association pointed out to the counsel to the Governor, to whom the answer of the Commission had been directed, the fact that the Commission had failed utterly to meet the charges of the Association and asked that steps be taken towards getting rid of the present Commission. A conference between the Governor's Counsel and representatives of the Association resulted in the belief that Governor Glynn favored proper amendment to the law which would allow the dismissal of an inefficient commissioner.

During the last campaign the Association secured statements from all three of the leading candidates for governor, in which they pledged themselves to unfailing support of the merit system. Governor-elect Whitman said that he would recommend to the legislature an amendment to the civil service law providing that "an inefficient or corrupt civil service commissioner may be removed by the governor upon proof of charges after a statement of reasons has been filed with the secretary of state and an opportunity given to the commissioner to be heard in his own defense." The Governor-elect also indicated his desire to see full authority conferred on the civil service commission to undertake a complete study of the entire promotion problem in an endeavor to standardize the service.

The discredited State Commission late in the summer seized upon an action of the New York City Commission as an opportunity for conducting an inspection of its records and later a rigid investigation into the administration of the civil service law in New York City. The immediate question involved was the authorization by the Municipal Commission of the appointment of forty-six special examiners in the department of public charities, who were employed to investigate the underlying causes of dependency in the city of New York. There was in existence an eligible list for examiner of charitable institutions, but it was held that this list did not contain persons who were qualified for the work

which was to be done. The department of charities said that they wanted experts to do this work, and owing to the limited time in which the work would have to be done and the fact that a stated appropriation had been granted by the board of estimate and apportionment for it, the Commission approved the appointment of persons under the rule which provides for the employment without examination of persons engaged in private business, who shall render professional, scientific, technical or expert services of an exceptional character to any city officer—compensation not to exceed \$750. The State Commission took the position that this action of the Municipal Commission in the face of the existence of an eligible list for examiner of charitable institutions was evidence of inefficiency and unfitness on the part of the present Municipal Commission and proceeded forthwith to make an investigation into its administration. The investigation has proceeded laboriously since September 18 and will, in all probability, continue until the end of the year. On the last day of September Mayor Mitchel issued a statement to the newspapers charging the State Commission with proceeding with the investigation in bad faith. The Mayor said: "It is apparent that a state civil service commission which chooses to serve party interests could substitute for the civil service commission appointed under the administration elected by the people of the city a commission representing Mr. Murphy and his interests. The local commission has reorganized the department and has closed certain channels of advantage to Mr. Murphy and his friends which, of course, may be irritating and therein we find the possible motives for this attack."

For some time the general understanding of the ultimate purpose of the investigation by the State Commission was that it was to lead to the removal of the present municipal civil service commissioners, as outlined by Mayor Mitchel, as the law allows the State Civil Service Commission with the approval of the Governor to remove any local commission and appoint successors to the removed commissioners for the unexpired terms. Governor Glynn on October 9, however, effectually si-



lenced such rumors by issuing a statement in which he said that nothing of the sort would occur. Explaining the action of the State Commission, the Governor said: "The inquiry in question, I understand, is of a routine nature, though directed in part toward certain matters that have been the subject of complaint." President Neu of the State Commission also answered the charges of the Mayor, denying that the State Commission had any political motives whatever in making its investigation and asserting that "the Commission is performing one of its most important duties; that of investigating complaints and of ascertaining whether a local board is complying with the law."

Some glaring defects in the administration have been disclosed by the State Commission's investigation but too much time and money have been wasted in following up numerous petty complaints against the local commission.

The investigation is expected to draw to a close early in the new year when Governor-elect Whitman takes office. The Governor-elect has publicly stated that he does not wish a state civil service commission that will do the Chief Executive's bidding but one which will enforce the law. This statement justifies the conclusion that he will not fail to give New York State a Civil Service Commission which will restore the merit system.

### THIRD SESSION.

Ball Room, Hotel La Salle,

Thursday Evening, December 3.

AT 8:00 p. m. a public meeting was held in the Ball Room of the Hotel La Salle. Mr. Edgar A. Bancroft of Chicago presided. Hon. William Dudley Foulke of Richmond, Indiana, delivered an address,<sup>1</sup> and President Richard Henry Dana delivered the President's annual address.<sup>2</sup> Miss Jane Addams of Hull House addressed the meeting on "Humanitarian Aspects of the Merit System."<sup>3</sup>

## FOURTH SESSION.

Red Room, Hotel La Salle,

Friday Morning, December 4.

**A**T 11:00 a. m. the League reconvened. President Dana in the chair. Mr. Samuel Y. Nash presented the report of the Committee on Nominations as follows:

## FOR PRESIDENT:

Richard Henry Dana.....Cambridge, Mass.

## FOR VICE-PRESIDENTS:

Edwin A. Alderman.....Charlottesville, Va.

Charles J. Bonaparte.....Baltimore, Md.

Joseph H. Choate.....New York, N. Y.

Charles W. Eliot.....Cambridge, Mass.

Harry A. Garfield.....Williamstown, Mass.

George Gray.....Wilmington, Del.

Arthur T. Hadley.....New Haven, Conn.

Seth Low.....New York, N. Y.

Franklin MacVeagh.....Chicago, Ill.

George A. Pope.....Baltimore, Md.

Moorfield Storey.....Boston, Mass.

Thomas N. Strong.....Portland, Ore.

Herbert Welsh.....Philadelphia, Pa.

## FOR MEMBERS OF THE COUNCIL:

William A. Aiken.....Norwich, Conn.

Frederick Almy.....Buffalo, N. Y.

Charles J. Bonaparte.....Baltimore, Md.

Arthur H. Brooks.....Boston, Mass.

Roscoe C. E. Brown.....Brooklyn, N. Y.

Charles C. Burlingham.....New York, N. Y.

George Burnham, Jr.....Philadelphia, Pa.

John A. Butler.....Milwaukee, Wis.

Charles L. Capen.....Bloomington, Ill.

Edward Cary.....New York, N. Y.

Robert Catherwood.....Chicago, Ill.

William C. Coffin.....Pittsburg, Pa.

Everett Colby.....Newark, N. J.

Charles Collins.....New York, N. Y.

Joseph P. Cotton.....New York, N. Y.

William E. Cushing.....Cleveland, Ohio

Horace E. Deming.....New York, N. Y.

Albert de Roode.....New York, N. Y.

John Joy Edson.....Washington, D. C.

Charles W. Eliot.....Cambridge, Mass.

John A. Fairlie.....Urbana, Ill.

Henry W. Farnam.....New Haven, Conn.

Albert Smith Faught.....Philadelphia, Pa.

Cyrus D. Foss, Jr.....	Philadelphia, Pa.
William Dudley Foulke.....	Richmond, Ind.
Elliot H. Goodwin.....	Washington, D. C.
Charles Noble Gregory.....	Washington, D. C.
H. R. Guild.....	Boston, Mass.
William B. Hale.....	Chicago, Ill.
Henry W. Hardon.....	New York, N. Y.
Stiles P. Jones.....	Minneapolis, Minn.
William V. Kellen.....	Boston, Mass.
Francis B. Kellogg.....	Los Angeles, Cal.
John F. Lee.....	St. Louis, Mo.
William G. Low.....	Brooklyn, N. Y.
George McAneny.....	New York, N. Y.
Henry L. McCune.....	Kansas City, Mo.
John W. Mariner.....	Milwaukee, Wis.
Harry J. Milligan.....	Indianapolis, Ind.
William B. Moulton.....	Chicago, Ill.
Samuel Y. Nash.....	Boston, Mass.
Samuel H. Ordway.....	New York, N. Y.
Elliott H. Pendleton.....	Cincinnati, Ohio
John Read.....	Cambridge, Mass.
H. O. Reik.....	Baltimore, Md.
Charles Richardson.....	Philadelphia, Pa.
C. P. Shaw.....	Norfolk, Va.
Nelson S. Spencer.....	New York, N. Y.
Henry W. Sprague.....	Buffalo, N. Y.
Ellery C. Stowell.....	New York, N. Y.
Lucius B. Swift.....	Indianapolis, Ind.
Frank J. Symmes.....	San Francisco, Cal.
William J. Trembath.....	Wilkes-Barre, Pa.
Henry Van Kleeck.....	Denver, Col.
William W. Vaughan.....	Boston, Mass.
T. Henry Walnut.....	Philadelphia, Pa.
Everett P. Wheeler.....	New York, N. Y.
Russell Whitman.....	Chicago, Ill.
Charles B. Wilby.....	Cincinnati, Ohio
Ansley Wilcox.....	Buffalo, N. Y.
Frederick C. Winkler.....	Milwaukee, Wis.
R. Francis Wood.....	Philadelphia, Pa.
Clinton Rogers Woodruff.....	Philadelphia, Pa.

It was moved and seconded that the Secretary be directed to cast one ballot for the election of the gentlemen named. The motion was unanimously carried. The Secretary cast the ballot and announced the election of the officers.

In the absence of Mr. A. S. Frissell, the Treasurer of the League, the Secretary read the annual report of the Treasurer,<sup>1</sup> which was, upon motion, received and or-

dered to be submitted to an auditing committee to report to the Council.

Hon. Ansley Wilcox presented the report of the Special Committee on Resolutions. Upon motion, the report was accepted and the resolutions adopted as the resolutions of the League.<sup>1</sup>

The Secretary then reported for the Council on the resolution drafted by Mr. Merritt Starr that the Council at its meeting on Friday morning had directed that the resolution be referred to the Committee on Superannuation, of which Mr. Horace E. Deming of New York was chairman. This committee had made a study of the whole problem of pensions and had drafted a number of reports on this subject, and the Council had directed the Secretary to inform the meeting of the League that this resolution and other suggestions will receive very careful attention by the Committee on Superannuation.

The Secretary then presented a statement on behalf of the Chairman of the Committee on Removals.<sup>2</sup>

Mr. Frank Radiwenz, a clerk in the post office department, obtained the floor and suggested for the consideration of the League the following resolution:

Whereas, no provision has been made by the Federal Government for a civil service trial board to which a postal employee who feels he has been unjustly dismissed from the service, or reduced in salary, can appeal for a public hearing; and

Whereas, no court of claims can be appealed to by an employee for injury to his person, or notice served on him by having been unfairly dismissed from the service or reduced in salary; therefore, be it

Resolved, That we, the National Civil Service Reform League, in annual meeting assembled, endorse the establishment of an impartial post office civil service trial board, conducting its hearings publicly, to which postal employees who believe they have been unjustly dismissed from the service or reduced in salary may appeal to have the reduction or dismissal set aside or punishment reduced if found too severe.

Upon motion, Mr. Radiwenz's resolution was referred to the Committee on Removals. There then followed a discussion of the statement from the Chairman of the Committee on Removals.<sup>3</sup>

## FIFTH SESSION.

Red Room, Hotel La Salle,

Friday Afternoon, December 4.

AT 3:00 p. m. the League reconvened. President Dana in the chair. Mrs. Frederick H. Cole, of Omaha, Neb., Chairman of the Civil Service Department of the National Federation of Women's Clubs, addressed the League with relation to the work which the Federation of Women's Clubs is doing in civil service reform. Mrs. Cole brought out the fact that the Federation is endeavoring to inculcate in the public school systems of the country some constructive effort towards education in civil service matters. She asked the co-operation of the League in the work of the Federation, so far as it related to civil service reform. President Dana responded to Mrs. Cole, stating that the League was anxious to extend the merit system in every possible way and was appreciative of the efforts of the Federation in this regard.

William B. Hale, Vice-President of the Civil Service Reform Association of Chicago, read a paper on "A Constructive Program for the National Civil Service."<sup>1</sup>

George T. Keyes, Secretary of the National Civil Service Reform League, presented a paper upon "Some Essential Features of a Model Civil Service Law."<sup>2</sup>

Following the presentation of Mr. Keys' paper, there was a discussion, particularly concerning the manner and means of selection and appointment of civil service commissioners.<sup>3</sup>

Upon motion, the following resolution was unanimously adopted extending thanks to the Chicago and Illinois Associations and to Hull-House for their hospitality:

*Resolved*, That the League express its deep appreciation of the cordial hospitality extended to its annual meeting by Miss Addams of Hull-House, by the Uni-

versity Club, the Union League Club, and the Chicago and Illinois Associations.

The meeting then adjourned.

Attest:

GEORGE T. KEYES,  
Secretary.

On the evening of Friday, December 4, a banquet was held at the Hotel La Salle. Walter H. Fisher, former Secretary of the Interior, presided as toastmaster. The speakers included Hon. Morton D. Hull, a member of the Illinois legislature, Hon. William Dudley Foulke of Richmond, Ind., and Richard H. Dana, President of the National Civil Service Reform League.

## ANNUAL REPORT OF THE TREASURER.

November 30, 1914.

## GENERAL FUND.

Balance on hand December 1, 1913..... \$1,044.55

## RECEIPTS:

Associate membership dues.....	\$260.00
Sustaining membership dues.....	200.00
Subscription .....	10.00
Interest on bank deposits.....	43.65
Buffalo C. S. R. Association.....	250.00
California C. S. R. Association.....	50.00
Chicago C. S. R. Association (1913)...	150.00
Chicago C. S. R. Association (1914)...	50.00
Connecticut C. S. R. Association.....	150.00
District of Columbia C. S. R. Association	50.00
Indiana C. S. R. Association.....	100.00
Maryland C. S. R. Association.....	250.00
Massachusetts C. S. Association....	1,150.00
New York C. S. R. Association.....	1,217.48
Pennsylvania C. S. R. Association.....	583.26
Women's Auxiliary of Massachusetts..	100.00
Women's Auxiliary of New York.....	100.00
Women's Auxiliary of Maryland.....	100.00
Wisconsin C. S. R. Association.....	100.00
Pamphlets sold .....	65.35

Total Receipts ..... \$4,979.74  
 GOOD GOVERNMENT Receipts..... 1,529.01

6,508.75

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 \$7,553.30

## DISBURSEMENTS:

Salary of Secretary .....	\$862.80
Salary of Assistant Secretary.....	1,000.00
Salaries of Clerks.....	1,355.00
Office rent .....	550.00
Office expenses .....	283.24
Postage and stamped envelopes.....	316.57
Stationery .....	132.55
Printing .....	251.01
Traveling expenses .....	295.20
Telephone service .....	29.83

Total Disbursements..... \$5,076.20  
 GOOD GOVERNMENT Disbursements... 1,027.12

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 6,103.32

Balance on hand in General Fund (Carried Forward) \$1,449.98

Balance on hand in General Fund (Brought Forward) \$1,449.98

### SPECIAL FUNDS.

*Special Fund of the Committee on Extension of Civil Service Reform:*

Balance on hand December 1, 1913.....	\$150.72	
DISBURSEMENTS:		
Traveling expenses .....	42.20	
Balance on hand.....		\$108.52
<i>Special Fund for Increasing Membership and Influence:</i>		
Balance on hand December 1, 1913.....	\$694.97	
RECEIPTS .....	1,000.00	
		<hr/>
	\$1,694.97	

DISBURSEMENTS:

Traveling expenses .....	\$237.04	
Printing .....	343.43	
Postage .....	29.00	
	<hr/>	609.47
Balance on hand.....		1,085.50

*Special Fund:*

Balance on hand December 1, 1913.....	\$99.74	
RECEIPTS .....	1,000.00	
	<hr/>	\$1,099.74

DISBURSEMENTS:

Salary of Second Assistant Secretary .....	\$593.75	
Traveling expenses .....	53.34	
Printing .....	6.87	
	<hr/>	653.96
Balance on hand.....		445.78
Total cash on hand.....		<hr/>
E. & O. E.		\$3,089.78

A. S. FRISSELL,  
*Treasurer.*

Audited and found correct:

GEORGE R. BISHOP,  
ALFRED BISHOP MASON,  
*Committee.*

May 21, 1915.



## REPORT OF THE COUNCIL.

### TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

The past year demonstrates the constant growth of popular sentiment throughout the country in favor of the merit and efficiency system. Even in Congress the tide has turned against the spoilsman. The passage of the Cullop amendment which sought to throw open the post offices for patronage purposes was defeated.

In New Jersey, Georgia, Missouri, and California, notable progress has been made in putting civil service systems in effect in response to popular demands.

The business men of the country have united in insisting that all positions in the diplomatic and consular services must be filled by men selected not for political reasons, but for demonstrated fitness and ability.

The League notes with approval the efforts of the United States Civil Service Commission to establish an efficiency system in accordance with the broad powers given it by Congress. The initial work in the standardization of duties and titles in certain grades of service, the cost figuring operations in several bureaus and the proposal that the records of the results obtained by these methods shall serve as a basis for individual salary advances, promotions, demotions and separations deserve public approval and support.

Last year the report of the Council at the Boston meeting recorded the great progress of civil service reform throughout the country in the face of the Congressional assaults upon the merit system. A general survey of the year made it clear that the Congressional hostility to the competitive system was directly contrary to popular sentiment. The Council declared: "It will be the duty of this League, and we hope will be the duty of every other organization interested in good government . . . if members of Congress choose to persist in their medieval hostility to the reform, to bring home to them directly the full force of public condemnation of their course." The League was led to sound this warning because since March 4, 1913, Congress had successfully limited the

scope of the civil service law by rider legislation in two of the three great measures which had gone to the President for his signature. The first two of these acts,—the exception of the field income tax collection force and the removal from the classified service of deputy collectors and deputy United States marshals,—had passed into history at the last meeting of the League. The third inroad on the classified service followed in short order. On the eve of the passage of the currency bill Senator Owen of the committee on banking and currency offered an amendment directing that employees of the federal reserve board be appointed without complying with the requirements of the civil service law. Despite the almost universal condemnation of this item as the most indefensible spoils grab in years, it was retained in the act by a majority of one, Vice-President Marshall breaking a tie and casting his vote in favor of the spoils rider. As soon as the officers of the League were informed of this action of the Senate, the President, the members of the House, and the conferees on the bill were urged to reverse the action of the Senate. The House Democratic managers, however, accepted the Senate amendment without demur and the bill was signed by the President on December 23. As enacted into law a declaration was attached to the rider to the effect that the provision should not prevent the President from putting the employees in the classified service. After careful consideration of this section, the officers of the League reached the conclusion that this provision allowed the President to order these places to be filled in accordance with the civil service law at the very beginning of the system. In support of this conclusion, it was urged that no worse menace to the success of the new currency and banking system could be imagined than that its administration should be subjected to partisan politics, that the difficulty of excluding political influences in the future would be increased because of the fact that at the inception of the new system the force of employees under the board had been appointed without complying with the civil service law and that this failure would be used as an excuse for wholesale changes in that force and for its reorganization on a partisan basis.

President Wilson decided that he did not have author-

ity to act upon the League's suggestion because the language of the Currency Act "distinctly provides for the employment of the employees of the Federal Reserve Board without regard to the civil service rules." He assured the League, however, that "the Federal Reserve Board will not allow political considerations to influence its selections in the least and that they will be made solely upon merit."

Successful in this attempt, the spoilsmen grew bolder and turned their attention to the post office appropriation bill. The House committee on post offices and post roads attached to this great supply bill a rider removing all assistant postmasters from the competitive classified service, in which they had been placed by President Taft's order of September 30, 1910. This order was one of the great advances toward the reclamation of the postal service from politics. This attack on the civil service aroused friends of the merit system, who made it clear that the exemption of the assistant postmasters was one of the most backward steps that could be taken. It is a notorious fact that in the greater number of offices, the assistant postmaster is the actual postmaster; that the holder of the title of postmaster is but the titular head, an absentee office holder, whose time is given more to political management than to post office administration. Subsequent to the committee report of this rider, the President and the Postmaster-General made known their opposition, with the result that the friends of the merit system in the Democratic side of the House refused to approve the committee action, and the item was ruled out on a point of order. Temporarily at least, the effort to repeal the classification of the assistant postmasters was defeated. In the final analysis adverse public opinion has checked these efforts to effect the gradual disintegration of the merit system.

A few weeks later, Hon. John A. Moon of Tennessee, the leading champion in Congress of the repeal of the classification of the assistant postmasters, appeared in a new role. He became a radical advocate of the competitive system, and demanded that the civil service commission hold competitive examinations for all of the 2,400 assistant postmasters. In thus seeking to remove the incumbents of these assistant postmasterships, Mr. Moon

ignored the facts in regard to the classification of the places in 1910. President Taft's order did not automatically give the assistant postmasters a competitive classified status. Instead, it provided that no assistant then in office could receive such status until he had satisfied the postmaster-general as to his efficiency. Approximately twenty-four per cent of these officers have been appointed under the civil service rules and regulations, either by promotion, transfer or through open competitive examination. All of the 1,700 assistant postmasters carried into the service by Executive order have been in office for more than three years. Since the issue of the order they have been forbidden to take any part in politics, other than that of casting their votes and expressing their political opinions in private. If any of them are incompetent, they can be removed without difficulty, as there are no burdensome restrictions in the civil service rules or statutes preventing the removal of incompetent officials.

No action was taken on the legislation advocated by Mr. Moon until August, when Representative Cullop offered an amendment striking out the provision relating to assistant postmasters and substituting therefor a section providing a four-year tenure of office for all employees of all post offices to be selected by the postmaster "irrespective of any civil service law to the contrary." The Cullop section was actually approved in the committee of the whole, but when the committee rose, 87 Democrats joined with 75 Republicans and Progressives in rejecting the proposal. The House retained in the bill, however, by the small majority of 19 votes, the Moon provision relating to assistant postmasters. The bill then went to the Senate, being referred to the committee on post offices and post roads on August 12. Here it remained throughout the last session of Congress, largely because Senator Bankhead of Alabama, chairman of the committee, had stated his opposition to the Moon item, and because it was also understood that the President and the Postmaster-General were opposed to its passage. The bill, is, however, not yet beaten, as railway mail pay legislation will in all probability be considered at the coming session of Congress. Such legislation will bear the careful watching of friends of the merit system, as it was to the rail-

way mail pay bill that this obnoxious and reactionary provision was attached in the last session.

The Indian appropriation bill furnished the next opportunity for attack on the law. To this measure a section was attached exempting over one hundred physicians in the Indian service from the operation of the civil service law. In some respects this rider was worse than any of its predecessors. The Indians affected by the legislation are the wards of the Nation. To entrust the care of their health to any but physicians of sound training and high qualifications would be little short of criminal. The feasibility of selecting qualified physicians for the public service through civil service examinations has been demonstrated many times and in all parts of the country. In the Indian service itself, the evidence conclusively shows that physicians employed under the contract system without examination are far inferior to those who have been selected through competition. In the face of this evidence the House took the places out of the classified service. The Senate fortunately declined to yield to this sordid desire to provide places for Congressional favorites at the expense of the wards of the Nation and these positions were retained in the competitive schedule. The important position of superintendent of the Five Civilized Tribes was, however, made available for the spoilsmen.

In spite of the open disapproval of the business interests of the country, Congress next accepted the statement of the Secretary of Commerce that fourteen important positions of commercial attache credited to American ministers abroad should be filled without regard to the civil service law. In urging the appointment of these attaches on a merit basis, the League called attention to the fact that as unclassified positions they would be regarded by members of Secretary Redfield's party as legitimate party spoils. Pressure to treat them as such would be great, and while the present secretary might succeed in resisting it, about these places would always linger the atmosphere of political favoritism, which pervades the unclassified service of the United States. Nevertheless these positions were removed from the merit system with the result that they may be made the means for the payment

of political obligations upon every change of administration.

Congress completed the reactionary record in the passage of the trade commission bill by exempting attorneys, special experts and examiners of the new board from the operation of the law.

In spite of this record of broken promises by members of Congress, the organized advocates of civil service reform should feel gratified that the bolder and more vicious attacks upon the federal service have been frustrated.

The Administration has upheld the principle of the Executive orders of 1906 and 1907 requiring candidates for entrance and promotion in the consular and in the diplomatic service up to and including the rank of secretary of embassy to pass qualifying examinations. In only five cases has this principle been departed from. All but one of the persons excepted had had previous experience in the state department, the exception being Rev. Otis A. Glazebrook of New Jersey, appointed as consul at Jerusalem on February 10, 1914. The other four orders affect Wallace J. Young, assistant chief of the bureau of appointments and for four years secretary of the board of examiners for the consular service; John Silliman, vice and deputy consul at Saltillo, Mexico, since 1907, promoted without regard to the Executive order of June 27, 1906; Wilbur J. Keblinger, formerly commissioner of the United States on the Rio Grande and for more than fourteen years secretary of the International Boundary Commission; and John M. Savage of New Jersey, who was removed as consul at Dundee, Scotland, in the fall of 1897. The President allowed Mr. Savage to be appointed without regard to the Executive order, as it appeared "from the records of the state department that an inspection of Mr. Savage's office in 1896 resulted in a report to the department that the office was in excellent order."

For some years the League has supported legislation enacting into law the Executive orders which have done so much for the improvement of our foreign service. The Constitution prevents the competitive classification of the diplomatic and consular services, as appointments must be made by the President by and with the advice and consent

of the Senate. Late last spring Senator Stone of Missouri and Congressman Flood of Virginia introduced bills whose purpose was to place the Executive orders of Presidents Roosevelt and Taft on the statute books. It was understood that the legislation had the support of the department of state. It later developed that because, according to the secretary of state, there was some "difference of opinion" as to these particular features of the bill and because it was thought their consideration would invite useless discussion, the sections providing for examination without regard to political affiliations were eliminated. Secretary Bryan further explained that "our consuls are now in the classified service" and that the effect of the eliminated sections would be only "to make a matter of law what is now a matter of Executive order." The statement of the Secretary of State that these positions are in the classified service is incorrect. Before this result can be secured, Congressional action is necessary.

The system of appointments and promotions now in operation, although it is not competitive and does not completely eliminate political considerations in the filling of these places in the foreign service, has, nevertheless, measurably improved the standard and efficiency of its personnel. The maintenance of this system depends solely upon the President. So long as the President can with one stroke of the pen do away with this method of appointments, the system is insecure, and those who enter the foreign service will have no assurance that they will not be turned out of office upon a change of administration. The system should not rest upon executive discretion as its only defense. Once enacted into statute Congress will be prevented by public opinion from returning to the practice of permitting appointments to the consular and diplomatic services as rewards for party activity.

It will, therefore, be the duty of this League and the several associations constituting its membership to join with the business organizations of the country in emphasizing the necessity for the enactment into law of the Executive orders, giving to the system so successfully inaugurated and maintained the needed, greater stability.

The number of Executive orders permitting the ap-

pointment of an individual without complying with the requirements of the civil service rules is seventy-one for the twelve months ending October 1, 1914, as contrasted with an average of sixty-one special exceptions during the four years of President Taft's administration. Many of the special exceptions granted by President Wilson are evidently based upon purely charitable reasons rather than upon any necessity growing out of the requirements of the service. It must not be forgotten that the original purpose of permitting these "special exceptions" was to enable the President to secure the appointment of persons having unusual qualifications for public service. This practice was not established in order to enable persons in financial distress to receive relief through appointment to government offices. The present system necessarily involves a waste of the President's time in listening to requests for "exceptions" based on philanthropic grounds and of his sorely taxed energy in determining whether or not such applicants should be given indirect aid frequently at the expense of those who by determined effort have secured positions on the regular eligible lists.

There should be regulations forbidding the exception of any person without a hearing before the civil service commission as to the need of such exception for the benefit of the service rather than the benefit of the individual.

The civil service commission has been examining candidates for all post offices of the fourth class in accordance with the Executive order of May 7, 1913. This order amended the previous orders of Presidents Roosevelt and Taft by requiring that no fourth-class postmaster should receive a competitive classified status unless he had obtained his position through a competitive examination. The League is watching the operation of this order with care and expects to be able to determine the effect of this procedure, which is practically a new departure in the federal service.

In connection with these examinations, the Postmaster-General in a public statement declared "in his efforts to secure the most efficient men for the postal service and as a part of the evidence upon which he reaches his conclusion, it is his practice to ask the member of Congress in whose district the vacancy exists to advise him relative



to the character and fitness of the three eligibles." The League wrote the Postmaster-General on January 8 opposing this practice on the ground that it was in violation of section 10 of the civil service law and would endanger the fair and impartial operation of the Executive order of May 7, 1913.

Section 10 of the civil service law specifically provides that "no recommendation of any person who shall apply for office or place under the provisions of this act which may be given by any Senator or member of the House of Representatives, except as to character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under this act." This section was inserted for the express purpose of putting an end to the control of appointments by members of Congress which had obtained under the spoils system because of the preponderating weight given to recommendations of members of Congress. If the power to make recommendations in the selection of a candidate from an eligible list were to be given to members of Congress, it was foreseen that such recommendations might continue to be preponderating although purely political in purpose, if the Congressman should only avoid the appearance of politics in making his recommendations.

To this the Postmaster-General replied to the effect that he believed his policy was not in violation of section 10 of the law; that he was entirely justified in securing information from members of Congress, "not in their capacity as members of a political party but as representatives of their districts and of the postal communities interested in the service."

There is no way to discriminate between a Congressman in his capacity as a member of a political party and as a representative of a district or postal community interested in the service. A Congressman is essentially a party man and while in Congress a large part of his time is, under our present system, given to securing appointments for political favorites to positions in the unclassified service. As long as he merely avoids the appearance of politics in his recommendations for appointments in the classified service, there is no possible means whereby the appointing officer (in this case the Postmaster-Gen-

eral) can determine whether the recommendation is political or not. The very fact that Republican Congressmen have not been frequently consulted, and that their recommendations have seldom been followed is strong evidence that the system was not established with its sole object of securing information as to a man's fitness for office.

The announcement that recommendations of Congressmen will have weight in the appointment of fourth-class postmasters will discourage in many, if not all, cases anyone but members of the same political party as the Congressman or Senator from entering the examination. After the examination, candidates will bring pressure to bear on members of Congress to secure appointment. In other words, the plan proposed by the Postmaster-General will inject politics into the merit system at its source.

Members of Congress are not generally residents of towns whose post offices are in the fourth class. Their districts are often very large in area, and in only a few cases at the best can the Congressman have first-hand information as to the relative qualifications of the two or three candidates on an eligible list. The Congressman's information is frequently second-hand information, and in securing it the persons whom he will naturally consult will be members of a local political committee.

The commission considers protests against those who have secured places upon eligible lists from patrons of fourth-class post offices both as to those paying less and those paying more than \$180 a year. As to those paying less than \$180 a year, provision is made for the consideration of sworn complaints from patrons. These protests after investigation by the commission, may be made ground for removing the name of an unfit candidate from the eligible list or an unfit appointee from office. The same practice, without a formal regulation, is also applied by the commission to the higher paid fourth-class post offices. The information thus secured is first-hand information and is not acted upon except after investigation. This is the procedure which should be applied as part of the practical examination for these offices and it is the procedure contemplated by the civil service law.

The policy of the Postmaster-General was also dis-

cussed with the President, and his attention called to the dangers involved. The Postmaster-General has, however, continued to seek recommendations of Congressmen, and the League has received evidences that Democratic members of Congress believe that whenever their recommendation does not absolutely determine, it at least powerfully influences the appointment. The League hopes to secure at an early date full information from the civil service commission showing in how many instances the first person on the eligible list was passed over for the second or third.

During the present year the League has made an especial effort to advance the cause of civil service reform throughout the country. In this connection its officers have made visits to Atlanta, Georgia, to Columbus, Ohio, and to Norfolk, Virginia.

This completes the record of the year in the federal service. The League's program and outlook for the future should include four important lines of endeavor.

First: The ground already gained for the merit system must be protected. Never before in the history of the system has there been such need of eternal vigilance.

Second: An energetic advance campaign must be entered upon and maintained which will have as its special purpose to secure legislation which will provide for the competitive classification of first, second and third class postmasters. These officers have nothing to do with the determination of governmental policy. Postmasters are subordinates of the Postmaster-General and are no more than subordinate officials in charge of the business management of their respective offices. There is no more reason why a Democratic postmaster should be removed on a change in administration to make way for a Republican than that a clerk should be removed for similar reasons. Under the present system all first, second and third class postmasterships are part of the Senatorial patronage. Appointments are based not on merit but on political consideration. Under the merit system it would be possible to fill many of the postmasterships through promotion from the clerical force in the post office and in other cases by the promotion of a postmaster from a

smaller to a larger city on a basis of efficiency and competitive promotion examination.

Third: Advantage should be taken of a great opportunity to co-operate with the American Highway Association and other organizations to secure such legislation as will take out of politics the construction and maintenance of public highways. The fundamental importance of this reform cannot be too strongly emphasized. As long as the award of contracts and the construction, maintenance and repair of state roads are under the control of appointees who owe their places to a political leader, so long will corrupt political leaders secure obedience to their orders in favor of contractors who purchase their support.

Fourth: The League should spare no efforts to reinforce the endeavors of individuals and organizations to secure the establishment of the merit system in the various commonwealths and especially at this time in the states of Virginia and Minnesota.

## RESOLUTIONS OF THE NATIONAL CIVIL SERVICE REFORM LEAGUE

### I.

The National Civil Service Reform League, in its Thirty-third Annual Meeting assembled, congratulates the friends of the merit system throughout the country on the success with which a series of unparalleled raids made in Congress upon the Federal civil service has been resisted and defeated.

Among these, the League calls special attention to:

(1) The attempt by rider on the post office appropriation bill to remove all assistant postmasters from the classified service;

(2) The endeavor in the Moon bill to vacate for patronage purposes the assistant postmasterships.

(3) The subsequent effort through the Cullop amendment to remove all post office employees from the operation of the merit system.

(4) The proposal, through the amendment to the Indian appropriation bill to exempt more than one hundred physicians from selection under the civil service rules.

The League appreciates the co-operation of the President of the United States, the friends of the merit system in and out of Congress, and of the influential press of the country, in securing the defeat of these measures.

### II.

The League condemns the provisions of the new currency act calling for the appointment of all the employees of the federal reserve board without regard to the civil service laws and rules; the passage of a bill exempting from the operation of the civil service laws the fourteen commercial attaches of our foreign ministries; and the exemption in the trade commission bill of the attorneys, special experts and examiners.

The League especially condemns the policy of the

present Postmaster General in inviting the advice of the Congressman of the district relative to the comparative qualifications of the three eligibles for all fourth class postmasterships therein. This is in direct violation of section ten of the civil service law, and practically makes these positions patronage of Congressmen belonging to the party in power.

### III.

The League records its gratification at the progress of the movement to take out of politics the business of highway construction, by the several states. The leaders in the great movement for good roads stand pledged to an extension of the merit system, in order to insure that the work of constructing and maintaining public highways shall be in charge of expert engineers chosen on the basis of merit and fitness.

The League calls public attention to the system of investigation of education, training, personality, character and achievements, with the aid of eminent specialists, by which civil service commissions have selected experts of high professional standing and executive ability, in increasing numbers and with marked success.

The League congratulates the country on the staunch support of the civil service laws by the courts, calling especial attention to the decisions upholding the constitutionality of the civil service laws of the States of Ohio and Illinois.

The League further rejoices in the continued growth of the merit system in popular confidence, as evidenced by its adoption by large majorities in St. Louis and elsewhere.

### IV.

The League urges :

1. The classification of the higher administrative officers, particularly the collectors of customs and internal revenue, United States marshals and postmasters of the first, second, and third class.

2. The passage of legislation extending the merit system over all positions in the District of Columbia.

3. The termination of special exceptions through Executive order, save in cases where the need of such ex-

ception has been shown in public hearing to the approval of the United States Civil Service Commission.

4. The enactment into law of the Executive orders of 1906 and 1909, for examination of candidates for the consular service and diplomatic secretaryships.

5. The limitation of appointment to civil service commissions, boards, and administrative offices to persons of experience in such service, familiar with its history, and in sympathy with its purpose.

6. Provision for federal, state and municipal civil service commissions of funds sufficient to enable them to command the services of skilled employees, without whom there can be no hope of doing the efficient work which the public has a right to demand.

## Protection and Extension

RICHARD HENRY DANA, PRESIDENT OF THE NATIONAL CIVIL  
SERVICE REFORM LEAGUE

We have now completed one-third of a century of our existence as a League since its organization at Newport, Rhode Island, in August, 1881, and it seems not inappropriate that at this point in our history we should hold our annual meeting in Chicago, which in civil service reform matters, as doubtless in some others, is in advance of other parts of United States and perhaps of the whole world.

The work of the League seems to divide itself into two parts, one protection, the other extension: the protection of what we have got and the extension of the merit system to positions now outside the safe fold, and the perfecting of that which is within. Protection from evasion, substruction and the infusion of politics while necessary and likely to occupy our attention for a long time to come and is of itself a justification for our continued existence, is not so inspiring a kind of work as extension. This extension includes enlargement of both sideways and upwards. It is on this extension that I should like here and now to put special emphasis.

The whole civil service of the federal government today includes about 475,000 persons with an aggregate total salary estimated at \$400,000,000 a year. Of this number of persons with the enormous salary only 61% is under the strict competitive merit system. Adding to the federal service that of the cities, counties, and states within the boundary of our great country, we have a grand total of at least 800,000 appointees, and it is very likely to be over 900,000 with an aggregate annual salary of not less than \$700,000,000. By far the greater part of this enormous salary fund and this army of public employees is still in politics, unprotected by civil service rules or laws, and is used to build up a great political machine. Moreover, the proportion of the higher offices that are under the civil service rules is much smaller than the proportion of the middle-grade places. That is, our exten-



sions have been mostly sideways heretofore, and only to a small degree, and that of late years, has any extension been made upward. The result of this state of affairs is that the political "boss" has not only a great mass of middle and lower grade places still in his possession, but the most lucrative appointments are almost all at his disposal to be used as rewards for partisan work, and furthermore, by his control over these higher positions, over the heads of municipal, county, and state departments, he is able to give contracts and the sale of supplies to political favorites or party contributors, and to discriminate against those who are not. It is this lordship over this great army of political appointees with all the rich perquisites that accompany the higher places that gives the "boss" his continued hold over caucuses, primaries, conventions, and even elections, and which in turn give him so much control over legislatures and executives, used often against the best wishes of the people and to the great waste of public money raised by taxation. He is still able to build and man baronial fortresses on the hills of politics.

Though the diminution of the power of the party "boss" by taking patronage out of his hands and bringing back to the plain people the control of their representatives are the chief motives that have inspired civil service reformers from the beginning, yet apart from this, and hardly less in importance, is the desire to check the demoralization in the public service that follows the unregulated system of appointment. Not only is there incompetence in all such middle grade and minor positions as are still filled by political influence, but more harmful incompetence among those who are to direct the operating departments of government, those who are in charge of the health, safety, happiness, and even lives of the people. Where we ought to have the best experts obtainable, we find unfit persons spending much of their time in politics and doing all they can even where the middle and lower service under their direction is within the merit system, to inject politics into their departments. We see for example a position dealing with engineering problems filled by an ex-bartender with only a grammar school education, whose only engineering experience is engineering the cam-

paign of the mayor who appointed him. The result of all this is such inefficient and even total absence of enforcement of beneficent laws, that the public is robbed of the protection relating to pure food, milk supply, tenement and lodging houses, fire prevention, safety in factories and theatres and the like, or of the benefits that would come from good management of water supplies, building and repair of public roads and streets, and the operation of the rapidly growing number of public activities of various sorts. The waste of the public money by inefficiency has again and again been shown by capable investigators to be far greater than that which is lost by various kinds of graft, and when we speak of the loss of public money we think not only of the taxpayers but what appeals to us all with even far greater force is the loss to the people at large and especially to the poorer classes who are unable to protect themselves. Our cities say that they can not afford a sufficient number of well-regulated playgrounds to keep the boys off the streets and out of mischief and to teach them self-reliance and improve their health. The cities say they have no money to prevent blindness and crippling lameness at birth among the poor or to employ competent nurses, physicians, and oculists in the public schools to prevent the spread of contagious diseases, injury to eye-sight or to health, and can not furnish visiting nurses in the homes of the needy or give sufficient supply of milk to the babies of the poor in the hot months of the year. They can not afford various kinds of education that will better prepare our young men and women to become useful and productive citizens. Whence comes this woeful want except it be from the wanton waste of injecting politics into municipal administration and especially among the business managers, as it were, of present municipal undertakings? Is there not something pitiable about this want of means to save life, to decrease illness, and to improve the health and morals of the coming generation? I venture to say that there is enough wasted and stolen to pay for the greater portion of these needed things. I do not believe the good natured party boss himself realizes how he is stealing by his inefficient government from his fellow men and women, and above all from

the young, the poor and the helpless. A plan that will insure capable experts, independent of politics, in the positions to direct city operations is emphatically, is it not, the remedy of remedies? The modern scholar of municipal government is pointing out to us that it is only those municipalities which make use of these high-grade experts in their management and which give these experts considerable power over operative details, such as we find in Paris and the cities of Germany and England, that one sees economic, efficient and honest government.

As Mr. A. Lawrence Lowell, President of Harvard University, said a year ago "we want to emphasize the importance of having permanent officials in higher grades of the service. \* \* \* The higher discretionary officers—all those who are not at the very top of the system, all those who do not decide political questions, must eventually be experts. Not until we do that can we possibly build up a really efficient, strong, vigorous, and lasting civil service and if we can not do that, let us face boldly the fact that no democracy that has not succeeded in doing it, has ever lasted for more than three or four generations."

In the experimental period covering the first two or three years of the merit system in the United States that system was chiefly applied to clerks, policemen, and firemen, and the examinations consisted chiefly of written questions and answers of the rather scholastic type, combined with physical tests and investigation of character for the policemen and firemen. Soon after, the system began to be extended to a greater variety of employments and much ingenuity was devised in adapting tests to secure fitness and the examinations soon dealt with many questions beyond the scholastic, and investigations into experience formed an important part of the system. It is only, however, for the last fifteen years that the system has been directed to the selection of high-grade experts. During these latter years civil and sanitary, hydraulic and road engineers, supervising architects, physicians, chemists, botanists, assistant solicitors, superintendents of streets, chief librarians, heads of bureaus, city auditors, building inspectors in chief, heads of municipal departments and various other men of scientific or special training and ex-

perience and executive and organizing ability and high professional standing with salaries even as large as \$10,000 a year have been obtained through the civil service examinations. How is this possible? It is possible because the word "examination" in the civil service is coming to have a meaning far broader than that which is associated with school and college work. The examinations for these high positions consist not of the usual questions and answers of candidates gathered in one room but of inquiry addressed to the candidates and to those who have employed them as to what education, training and experience these candidates have had, their achievements in life, and manifestations of executive and organizing ability and power to get on with and handle men. This inquiry is conducted by the aid of appropriate specialists of eminence who patriotically give their service either gratuitously or for a nominal consideration. To this inquiry is added a thesis on the conduct of the work to be done in the position sought, while the thesis and the experience statements are made at the homes or offices of the candidates. Sometimes an oral interview to ascertain personality is employed. The grading, based on all this information, is left to the jury of these specialist-examiners.

It is such an up-to-date method that is called the "un-assembled investigation of careers" that forms the clue for taking the expert positions out of politics.

Perhaps one of the most difficult things to be accomplished in a democratic government is to educate the public to demand that which is for its own good and the most difficult branch of this difficult task is to enlarge a conception once publicly received. The general conception of the civil service system was formed throughout the country in the first one or two years of the trial period, already mentioned, and even professors and ex-professors of government in our universities, contributing but not very active members of our civil service reform associations, and even state governors, who have given much encouragement to civil service legislation, have not enlarged the original idea.

The complex, as the psychologists call it, I believe, that is stimulated by the words "civil service reform" in the

minds of many of our fellow citizens is that of a clerical examination and when a suggestion is made of extending the system upward to high positions controlling large operative undertakings by government, this old complex rightly compels any sane man to reject the proposition.

It is, therefore, our duty now to suggest a true, enlarged, and up-to-date complex to take the place of the old narrow, at one time true but no longer correct, one. We ought to have a Charles Lamb who, with his wit and charm, would expose the fallacy that so hinders our upward progress. Every method known to business for ascertaining the relative ability of various candidates for various kinds and grades of work that is capable of being systematized, that is, every method except that of pure favoritism, can be and is employed by the civil service commissions. Laborers are graded according to age, health, and physical ability. Bench tests are employed in selecting skilled mechanics; physical competition for policemen and firemen; even saddling, mounting, riding horses and firing from horseback have formed part of the civil service examination for the United States forest rangers. Architectural and topographical draftsmen are tested by two days' work of the very kind they would have to do when employed and the results are examined by architects and topographical engineers respectively, and indeed there are seven or eight hundred varieties of examinations furnishing separate eligible lists. Considering that it is only a few years ago that it was declared on the floor of Congress in public debate that there was only one kind of examination for all positions, it becomes necessary for us thus to explain publicly and at length the adaptability of the system, in order that we may accomplish the beneficent extension of which it is capable.

While this up-to-date method of selecting experts, that I have described, has to be used when a new bureau is established or there are not assistant experts suitable for promotion, yet in many cases it is rather promotion from among the assistant experts who have entered through civil service examination than even this successful and enlightened method that will be used and this is especially so in large branches of the service where no scientific

education is required. The postmasters, collectors of customs and internal revenue, ten thousand in number, require nothing more than ordinary school education plus a varied experience in their departments and all those positions can be filled by promotion alone. Our League has decided to make it its next chief endeavor to arouse public opinion to induce Congress to pass such legislation as will enable the higher grade postmasters to be brought within the classified service, and we appeal to boards of trade, chambers of commerce, civic organizations, the General Federation of Women's Clubs, and indeed to all persons who use the mails, for moral and financial support to enable us to carry on such a campaign of publicity as is required. We also appeal to the many young men of the country who would gladly render public service were there a career open for them, but who now see that all these high positions are filled by political outsiders, so they are either discouraged from entering the service at all or else stay in it only till they have shown a sufficient capacity and ability to succeed in getting a place in private business. There is not a Democratic as opposed to a Republican way of sorting letters. What the people want is that the mails shall be handled promptly and accurately. If we succeed in this plan, the country will have a great body of trained expert postmasters and from among them material could be found to furnish experts suitable for superintendents of divisions. At present there are no such officials and the postoffices are not divided into districts as is the case in every other civilized country in the world of any size whatsoever, and as is the case of any large and extended business, such as the railroads, telegraph, telephone, and express companies. One objection to adopting this system of division, which has been recommended by one postmaster-general after another, is that there are not experts in the country to fill these positions, and there are not experts because the postmasters themselves are not experts.

Moreover, we have found by investigation that many of the postmasters, collectors, marshals, etc., though paid far more than their subordinates who give all their working time, themselves only give one hour a day or one day a

week to the duties of the office and spend the rest of the time either in politics or outside private business.

One does not like to be constantly decrying one's own country and yet the postal experts, and there are some in our country, are, I am told, unanimous in declaring that our postal service is far below the postal service of any other civilized nation that has anything like the standing of our country in the world, and that until our people realize its deficiencies our postal service will never be properly developed.

With reference to the political activity, these unclassified postmasters of the first, second, and third class, that is, all with salaries above a thousand dollars a year, are considered the regular political agents of members of Congress and form the great nucleus of party workers that have such an influence in the presidential convention, usually as delegates, to support the administration in its efforts to seek renomination; a sort of Pretorian Guard that holds the succession up at auction as in Imperial Rome. By putting at the head of each flock of competitive civil servants in the postoffices these political hirelings, it is no wonder that it makes it difficult to arrange promotions and dismissals on a basis of merit or to prevent underhanded attempts at forcing political contributions from the employees and otherwise evading both the spirit and the letter of the civil service laws, in the post-offices under them.

Let us suppose some great business concern with branches in every city and town, and let us suppose that its board of directors while taking great care to select capable clerks, bookkeepers and messengers, should let members of Congress in the district select its local managers, who in turn would do the political work for those Congressmen and who would be changed every time a new Congressman was chosen, or a new party came in power at Washington. Should we not think that the directors had lost their wits and were candidates for a lunatic asylum?

As against the extension of the merit system upward is President Wilson's statement in signing the urgent Deficiency Bill with its rider that took the deputy collectors

of internal revenue and deputy marshals out of classified civil service. He said such officials "were never intended to be included in the ordinary provisions of the civil service law." Such a statement from so high an authority ought not to go unchallenged. Just what is meant by "ordinary" it is hard to say. If it is meant that the provisions applied to clerks and copyists have to be modified when applied to deputy collectors and deputy marshals just as they have to be modified for filling very many other positions, and if these modifications are frequently and successfully used, it would furnish no reason for exempting these deputies. If, however, the President means that the civil service law was never intended to cover such positions, as a broad general statement, he was badly advised.

Mr. Dorman B. Eaton, the father of the present civil service law, in his book "Civil Service in Great Britain" written just before our law was passed, showed that in that country not only deputies but even collectors themselves were classified, and the first annual report of the civil service commission, of which Mr. Eaton was chairman, specifically stated that the United States civil service system was capable of being extended all the way up to and including collectors of internal revenue, collectors of customs, postmasters, marshals, etc.

The speech of that great Democratic Senator, Pendleton of Ohio, in debate on the bill, put the limit of extensions only to those higher officials to whom we entrust the determination of public policies and no one would claim that deputy collectors are in this class. In addition, in 1896, when these deputies were first included within the law, the United States civil service commission recommended and urged their inclusion, and the attorney-general, in a careful opinion, sustained the legality of the plan. After all, however, it is not so much a question as to what was the original intention. If the law intended to include them and the attempt to include them had failed, the original intention would avail little, and if, on the contrary, the inclusion had succeeded the "never intended" would be but a poor excuse for taking them out now. What, then, has been the experience? After they were



included under the civil service law by President Cleveland, the Secretary of the Treasury officially stated that more revenue was collected at less expense than ever before, and the civil service commission experienced no difficulty in getting good men for the places. Later these officials were taken out of the classified service by order of President McKinley. The cost again increased under the patronage administration of these places. Again in 1906 the deputies were put back under the merit system by order of President Roosevelt and again the efficiency increased to such an extent that, as stated officially by the revenue department, the collections increased 120% and the cost per \$100 collected decreased 39%. We should also note that just about half the deputy collectors taken out by the rider are mere office clerks given the title of "deputy" so as to be enabled to administer oaths under the revenue law.

The reason advanced for unclassifying these positions by President McKinley was that a collector should be free to "select his deputy from men he knows and trusts." The trouble under the patronage system is that the collector is *not*, in fact, "free" so to select his deputies. Let me give an illustration. In the Boston district the collector of internal revenue, not long after he had selected his deputies by the so-called "free" method, was having one of them indicted for misfeasance in office. When asked how he had so failed in his choice of a man, he said that he never knew the deputy before he appointed him but that he had to take those recommended by the Congressmen. This was under the Republican administration of President McKinley. Already under the present Democratic administration one of the deputy collectors, appointed under the "free" system in the state of Indiana, has been indicted, convicted and dismissed for impersonation of another, and more than one collector has complained of the poor material he had had to take in the way of deputies from the members of Congress of his party. Again every exemption of higher grade places makes it harder to get as good a class of men to enter the lower positions, because they are cut off from rising by promotion to these better exempted positions, and again when more places are filled by

political influence there is a tendency to bring the rest of the service under politics. In England the whole internal revenue service is permanent and well trained. It is recruited with young men who enter the lower executive grades through competition and are then eligible to promotion through all the intermediate grades to the collectorships.

One of the chief reasons that decided President Roosevelt to reclassify the deputies was that the selection of these deputies was proved in some cases and suspected in others to have been turned over to the very liquor and tobacco interests that were to be inspected, mainly because of large political contributions to the party in power.

Civil service reformers have often been called well-meaning "theorists." Over forty years of observation, often at close quarters, has led me to believe, and the public is now taking the same view, that those who talk about "confidential" positions and "freedom to select" are the theorists while the civil service reformers are the practical men dealing with the hard facts of experience.

As an excuse for the raids on the classified civil service by Congress, it has several times been repeated in debate that "90% of all the offices are filled by Republicans." No proof of this has been offered and no statistics can be found. It is undoubtedly a great exaggeration. It must be remembered that during both administrations of President Cleveland large numbers of Democrats were covered in, probably one-fifth of all put in by executive orders as distinct from growth. It should also be remembered that during the last two years and four months of President Roosevelt's administration and during the whole of President Taft's two out of the three civil service commissioners were Democrats, so that no injustice is likely to have been done the members of that party during this period. As to selections from the eligible lists, in the case of rural carriers and fourth-class postmasters, until recently only one eligible was certified for each vacancy; while in many postoffices, custom houses, and departments at Washington it has been customary to take the eligibles in the order in which they stood—a custom which should be encouraged. The apportionment among the various states re-

quired for the departments at Washington has insured to those states where the Democrats represent the most education a large representation for that party.

After all the members of the classified service, being debarred from political activity both by rule and as a natural consequence of their independence of tenure and being free from political assessments, are, for political purposes, "dead wood," and it is no more advantage to one party or the other, than that so many Republicans or Democrats happen to be in the employ of a railroad, banking house, or department store.

What we believe to be a backward step has been taken in the postoffice department. The framers of our civil service law, well aware that under the spoils system members of Congress were the dispensers of the patronage of office, foresaw that in giving the choice for each vacancy between the three highest eligibles on the list, Congressmen might again interfere in appointments under the law. Therefore, in addition to the provisions against the exercise of political influence, section 10 was put in, which says that "no recommendation which may be given by any Senator or member of the House of Representatives, except as to character or residence of the applicant shall be received or considered by any person concerned in making any . . . appointment under this act."

We regret to say that the postmaster-general has publicly solicited the recommendations of members of Congress in the appointment of eligibles after examination to the positions of fourth-class postmasters. This is a practically vulnerable point in the armor of the merit system. For other positions the eligible lists are usually so long that the chance of a political favorite's coming in the highest three is extremely small, but for the fourth-class postmasters there are, on the average, not over three eligibles for each office. Therefore a recommendation by a Congressman as to which should be selected is, in most instances, practically giving the appointment to him, limited only by the ability of his candidate to pass the examination. This policy of considering congressional recommendations was not only openly declared by Postmaster-General Burleson, but in the official notices posted up in

every one of the fourth-class postoffices, in which examinations were to be held, it was re-stated. The attention of both the Postmaster-General and President Wilson was called to this breach of the law and the danger to the merit system involved. The Postmaster-General replied that "Section 10 of the civil service law is intended to prohibit the consideration of recommendations from Congress based not on the qualifications or fitness of the applicant but on their political affiliations, and I hold it to be no violation of this provision to give consideration to any pertinent information relative to applicants furnished by members of Congress, not in their capacity as members of a political party, but as representatives of their districts and of the postal communities interested in the service."

Under such a loose construction of the statute a judge who is, by law, prohibited from sitting in a case in which he has any interest, might ignore the law, giving as his reason that he was not to sit in his capacity as a party interested but as an impartial judge.

A member of Congress is by no means a disinterested adviser. It is to his advantage to have in every small town within his district a local agent paid by the government. Not only is this dangerous in the very numerous cases of appointments to the fourth-class postoffices, but it sets a precedent sanctioned by the administration for injecting politics into the very heart of the merit system itself. Heretofore we have had the merit system, impartial, fair and just, on the one hand, and as a contrast, the spoils system on the other, partisan, selfish, and based on favoritism. Postal communities are allowed to file objections to the personality of eligibles with the Civil Service Commission which institutes an investigation and if the objections were reasonable that eligible is dropped.

We asked to have the legality of this practice submitted to the Attorney General for his opinion, but this request was not granted. Last April we applied to the Civil Service Commission for full information as to how often the first eligible was passed over for the second or third in the appointment of fourth-class postmasters, but we have not yet been able to obtain that information "owing to congestion of work in the office." I might add that the chair-

man told us he did not consider the Postmaster-General's acts any breach of section 10.

The Civil Service Commission last spring and summer was indeed congested with the work of holding examinations for 21,000 fourth-class postoffices in all parts of the country, but we submit that it is extremely important to give publicity to all their proceedings. We offered our help in looking over their records. We do not charge the able and high-minded men on the Commission with forgetting that it is the duty of the Civil Service Commission to protect the public service from politics rather than to shelter a political party from criticism; but as a civil service commission ought not only to do right but, like Caesar's wife, ought to be free from suspicion, therefore we believe it would have been wiser to have postponed one examination a few days and to have given the information on this important subject. We still hope that this information may be made public hereafter.

The special exceptions to the civil service law and rules made by executive orders of the President of the United States in behalf of individuals, during the last year, have equalled the average number for the twelve years past. The report of the Council deals with these in detail. In general about one-quarter of these seventy-one cases are justifiable; about one-quarter are doubtful; and one-half are on a purely charitable basis, and made without the approval of the Civil Service Commission to whom the President submits favored cases for report before his final action.

Many of the justifiable ones are cases of extending the one-year limit on reappointment. Let me cite two types: one that of a faithful and efficient public servant who resigned on account of illness which continued more than a year but from which he is now fully recovered; the other, the female who resigned to marry but whose husband has died and left her penniless after the year limit has expired.

It is well for our Council to keep an eye on special exceptions and comment on them publicly, but is it not of still greater importance to call public attention to the whole method of granting these exceptions? This method seems

wholly wrong. It is now on an "Arabian Nights" basis. Only those who get the ear of the Caliph have a chance and if they get the ear of the Grand Vizier also they receive too much rather than too little favor. This "Arabian Nights" system has two evils:

First, there are hundreds, perhaps thousands, who have equal if not greater justice in their claims who never get the ear of the President and are shut off from all remedy; and secondly, those who get his ear take far too much of his time. We therefore again recommend that all claims not purely charitable should be made directly to the Civil Service Commission which should investigate them and be empowered, under general regulations, to grant those that are meritorious; its finding in each case, as at present, to be printed in its annual report.

Now let us consider the purely charity cases for new appointment from outside that so appeal to the heart of one president after another. If those charitable applicants that now get his ear are to be given public office, why in our country of equal chance for all should not every needy person have an equal opportunity? Would it not be well, then, to open Red Cross or charity organizations to investigate the needs of *all* such applications? And I should suggest also that such charitable board should investigate all those on the eligible lists of the Civil Service Commission and see if there are not some of them quite as much in need who may have widowed mothers to support and young fatherless brothers and sisters to educate whose father perhaps was an old soldier or former employee, especially as such eligibles are doubtless far better qualified for the position sought than the outside applicant.

This idea of opening up the whole civil service to charity appointment would doubtless fill all the vacancies for years to come and discourage any one from taking the examinations of the Civil Service Commission. But what of that? If the principle is right for some twenty or thirty preferred persons a year, why not for thousands of others equally or more deserving and in equal or greater need? This *reductio ad absurdum* seems to point the way to an executive order providing that no claims for charity appointment from outside shall be considered by the Presi-

dent or the Commission under any circumstances whatsoever.

Let us consider the perfecting of the service itself. In addition to securing a supply of efficient persons for entrance into the public service it is also necessary to see that those persons who are covered into the service from political appointments are up to standard and doing their work properly, and also that the more efficient ones selected through the civil service system keep up to a high standard of meritorious work. When meritorious work is done it should be rewarded by the proper promotion, either immediate or in prospect. Also it is more and more evident that in the public service generally it is necessary to standardize work and pay, to prevent duplication between the different departments on the one hand, and on the other, to fill up gaps and omissions.

Now to the civil service reformers of the city of Chicago is due the credit of solving these last problems. The admirable plan of an efficiency bureau connected with the Civil Service Commission to do all those things which have just been enumerated has been put in operation. Efficiency experts and engineers have been employed, great economies have resulted, and better and more work is done for the public at less cost. Already some municipalities and the national government have followed the steps of our Chicago friends by appointing efficiency bureaus, and in the national government, though we are not able to report in detail, the Commission is taking great interest and pride in the work that it is accomplishing in these ways.

The difficult question of how to secure removals enough of the kind that are needed, without increasing removals for political reasons has been largely solved through the work of this efficiency bureau and records kept under its supervision. There has been some difference in opinion, largely based, I believe, on misunderstandings, as to the merits of this Chicago removal system in all its parts, but this much will be said for it in practice, that through it a great many removals that should have been made but were not made, have now been secured. The procedure has been such as to satisfy those who have been removed,

their friends, and the public at large of substantial justice in each case, and all the employees have been braced up to doing their best by the appreciation of work that is good and the condemnation of that which is bad.

The attitude of the present administration is, on the whole, favorable to our cause. The civil service law and rules have been well sustained by the President and the Civil Service Commission, excepting for the matter of the fourth-class postmasters. The executive orders also providing for limited competition in the appointment of consuls and diplomatic secretaries have been adhered to with only five special exceptions made by the President, four being in favor of men qualified by experience and training, which cannot be said of the other. The President has not defended us from the attacks made in Congress in the way of riders to such bills as the tariff and urgent deficiency bills taking positions out of the classified civil service. The rider to the urgent deficiency bill has already been referred to. As to the others, I shall now speak with the privilege that the President of the League has of expressing his own opinion without committing the League itself. When the President was face to face with the tariff bill, the chief measure of his administration, I can appreciate the danger of sending back that bill with a veto to Congress. It might have involved a rediscussion of the schedules, and I can fully sympathize with, even if I do not fully approve of, the idea of not antagonizing the Democratic members of Congress, many of whom are brought up to consider that the public offices are the private property of the members, but I certainly believe that if the President had vetoed these various riders he would have had the full support of the country and even members of Congress would yield. No small number of Democratic members have voted against these riders, much to their credit, and the majorities in favor of them were small. There are many instances in which presidents have vetoed bills because of riders and in some instances because the riders were injurious to civil service reform, without delaying the passage of the bills more than a day or two and without breaking with the administration's party in Congress. As a general proposition Congress-



men have fallen into line, when they have been deprived of patronage, with wonderful amiability. Let me give two instances. When President Roosevelt classified a number of positions which Congress thought they had succeeded in taking out of the merit system Congress acquiesced without any signs of retaliation. The other instance is when Hon. Carroll D. Wright was placed in charge of the census bureau before it had been put under the civil service law. The late Senator Quay of Pennsylvania made his customary demand for appointments. Mr. Wright refused to comply, stating his reasons. Senator Quay then asked him if he were treating all members of Congress alike. Mr. Wright said that he was and when Senator Quay and the other Senators and Representatives found that Mr. Wright was consistent in his course he never failed to receive congressional support for all the appropriations that were needed. He told some of us personally that thereafter he had no better friend in Congress than Senator Quay himself. The people of the United States, too, are hero-worshippers at heart and admire courage in a president, and I should like to submit to the serious consideration of President Wilson himself whether he will not in the long run receive more support both from Congress and the public if he will hereafter resist every attack on the merit system and will make large extensions that are within his province and recommend to Congress others that require congressional action. A little yielding of patronage does not satisfy but rather whets the appetite of the politicians. We are glad to report publicly that the President has given his influence in preventing the passage of some other riders and bills dangerous to the service. Congressmen are beginning to learn that patronage is not a bed of roses without thorns. We specially hope that the President, the Postmaster-General and the Secretary of the Treasury will recommend to Congress legislation which will enable the presidential postmasters, collectors, and marshals to be put within the merit system.

It is gratifying to note the growing demand for experts in governmental work and for the need of putting those experts in the classified civil service, as shown at the meeting of the National Good Roads Congress at Atlanta and

the National Municipal League in Baltimore during the past month. Every year more and more such experts are chosen through the merit system and as a result more and more are the contracts taken out of politics and efficient administration secured, and more and more is the public being educated to the need of giving these experts full authority within their operative departments without interference from politics, excepting in the one matter of directing the general policies in order to carry out the wishes of the people, and we are more and more learning to rely on the advice of the trained experts to help the public in arriving at wise decisions.

Objection is often made that we can not make people good by legislation. Without entering the ethical discussion of the effect of environment upon character, knowing human nature as it is, is it not perfectly evident that the system that presents the greatest inducements to corruption with the least fear of detection and punishment is the system in which corruption will flourish in proportion to the opportunities given it? And, on the other hand, a system that makes vice difficult and virtue easy will in equal proportion increase the acts of virtue, if not virtue itself.

At the first meeting of the National Civil Service Reform League in 1881 the late George William Curtis, our then President, said:

"We have laid our hands on the barbaric palace of patronage, and begun to write on its wall, '*Mene, mene!*'"

Nor, I believe, will the work end till they are laid in the dust."

The work has not ended. Indeed it is not yet half finished. The program is of progress both forwards and upwards, of diminishing the power of the political boss, of giving careers in public service to our young men, of securing intelligent expert management, of saving public money for extension of beneficent public work, of raising the morality of politics. Is not this enough to arouse us to renewed effort, with all our heart and soul and mind, while the growing support of our fellow citizens fills us with fresh hope and enthusiasm?

## City Government by Experts Under the Competitive System

HON. WILLIAM DUDLEY FOULKE

During the thirty odd years in which I have been interested in this reform, it has undergone several phases and its position now is quite different from what it was in the beginning. In the early days there were few of us. We were voices crying in the wilderness, and we heard the howls and execrations of the spoilsmen around us, and when the law was passed, beginning with only 13,000 or 14,000 persons in the classified service, its first activities were entirely in the line of the federal service. That was the first thing that we sought to redeem. The federal act was passed first, and it was a marvel of legislative achievement. Passed in 1883, it does not seriously need amendment even to-day, because it contained within itself the seeds of its own growth. Generally, legislation is rigid. The statute prescribes exactly what things must be done. If the world outgrows the conditions which existed when the statute was written, of course the statute has to be amended and changed to conform to the new conditions.

But the civil service law provided for a civil service commission which should aid the President in preparing and amending rules for competitive examinations and for the administration of the classified service, and so, whenever there is any need for an amendment, we don't have to go to congress and ask that the law itself be amended. for the law itself contains the means of growth, adapting itself to the various conditions which arise, and so it is that the law has practically not needed any amendment. We can see a few things in which it might be slightly improved, but we don't care to let congress—especially such a congress as we have to-day—get hold of that law, even to amend it. They would make it a great deal worse. The friends of the civil service law say: "Let the law

stand as it is; in the hands of a good executive you can do everything under it that you need to do."

Well, the classified service became extended, until today it embraces the great bulk of all the federal civil service and contains over three hundred thousand places—I don't know the exact number—it grows every day. It has practically embraced nearly the whole of the places in the federal government, so much so that a few years ago, under President Roosevelt's administration, when I happened to be upon the civil service commission, someone wrote what he called, in irony I suppose, "The Anthem of the C. S. C." (the civil service commission), which certainly revealed if not the actual state of facts, at least his state of mind about the facts, and in that it was said:

The kickers and knockers and growlers, you know,

May roast us as much as they please;  
But they've only a show for the government dough  
If they pass their exams. with ease.

No official nor clerk, with a shirk to his work,

Can bluff us with frown or glad hand;  
Oh, we're getting them all—they come at our call—  
And we're right up behind the band.

When we get every place on this classified earth,

We'll turn our attention to Mars;  
And when there's a dearth of classified worth  
We'll examine the classified stars.

Oh, we're here with our lists, we're here with the jobs,

And we hope you will understand  
That we're getting them all, the great and the small,  
And we're right up behind the band.

That was some years ago, and civil service reform has been growing ever since that time. New fields of activity have been opened, a number of states have enacted civil service laws, and there are many cities in this great movement towards civil service reform, especially those cities

which adopt their own charters or which can take the option under the laws of the different states of determining whether they wish to be ruled by commission government or by the manager system, or by some other new form of government.

Now, this is not the proper place to determine whether these particular schemes of city government are wise or unwise, but certainly the fact that the commission form has been adopted by about four hundred cities, and that very few have ever gone back, and that in the past year or two the manager form, which is supposed to be a still greater improvement, has been adopted by about a score of cities, shows this: That people are so anxious for reform that they are willing to revolutionize the whole system of city government in order to procure it.

Now, the competitive system in a very large proportion of these four hundred cities has been introduced into the city government. That hasn't always been very well done. Sometimes those city laws are bad. Once in a while they seem to be rather upside down. For instance, in the city of Dayton the law prescribes that the manager of the city may appoint anyone on the competitive list. Even though there are twenty or thirty names, he can go up and down the list and take anybody he pleases, and thus let politics creep into the city government; and yet he can't get rid of any of the men appointed except after a trial. The system seems to be about as bad as can be at both ends, and yet it is supposed to be the competitive system and was adopted in pursuance of a demand for reform.

There has been a good deal of "peaceful penetration" of all of these four hundred cities of our country by those of us who believe in the competitive system, and there is one phase of this movement to which I wish tonight to call your attention particularly, and that is to the need in city government of expert management and I wish to consider how far the civil service law will supply that need.

We do not know much about expert management in America. Our people are particularly versatile. They can change their residences very quickly, as well as their occupations. That was one of the exigencies of our

pioneer life. But that is past, and in the complex conditions which now surround city life in America it is necessary that our cities shall be managed by persons who have made a life study of them, or at least by persons who have attained high skill by experience in their management.

There were always indeed some places in which we employed experts. You could not very well construct city buildings without an architect, nor a sewer or street system without an engineer. There had to be some kind of a doctor in the health department, and some kind of a lawyer—generally a pretty poor one—in the department of law, but outside of such places any man could do anything. What was the necessity of talking about an expert at the head of the street cleaning department? Get a lot of street sweepers—unskilled laborers—let them pile the dust and the dirt in the street and shovel it into a cart, and then cart it away to the dump pile. Any man could do that, and the politician who controlled a certain election district or precinct, was the man who would get the office, and it didn't make any difference whether he knew anything about street sweeping or not. But the street sweeping department requires an expert as much as the department of law or the department of health. In the first place, there is a very close relation between the cleaning of our streets and the health of our inhabitants, especially in the slum districts of the city, where the dust from the street is blown into the houses and breeds contagion and death. It is very important that the head of the street cleaning department should be in close touch with the health department. In the next place, it is well known now that from sixty to ninety per cent of the dirt of our cities can be prevented from accumulating on our streets at all, and the man at the head of the street cleaning department ought to know just what things are necessary to keep the dirt off the street. And then there is a very close relation also with the building department, because the buildings that are adjoining the street and the excavations that are made have a great deal to do with the cleanliness or the filth of our streets, and he should know how to provide as far as

possible against the streets becoming unnecessarily dirty in that way, and he should know also how to take away ice and snow in the winter time.

I know a head of a street cleaning department, in a certain city not very far from where I happen to live, who, when the alleys of the city got choked up in the winter by filth which made them impassable, said there was no use in the world trying to clean them now until the snow and ice had melted! That was his idea of the performance of his duty in the street cleaning department.

Now, in Germany nobody ever thinks of putting at the head of a department like that an unskilled man. The man must not only be a *Baumeister*, but as a general thing he is a professional expert with a university training. In Dresden at the present time he is instructor to the Royal Technical College of Saxony, and he has a laboratory and does scientific work in the administration of the street cleaning department.

The head of this department must know the various appliances which are used for sweeping and for flushing, and things of that kind, and which he can use to the best effect; and the cost of cleaning one hundred square feet of street—whether he can do it more cheaply by flushing or by hand work or by machinery. You go to a German city and the street cleaning doesn't begin until about eleven o'clock at night, when everybody is in bed. Then they come out—first the sprinkler and then the sweeper, and after that the carts to take the dirt away; and in the morning all is absolutely clean. Look at the condition of the streets of our cities and compare it with the conditions of the streets in German cities, or those in Scandinavia, which are as clean as any floor in your home. You can see that one is the result of expert management, and the other is the result of the management of an unskilled man.

Take the health department. Everybody knows that infant mortality is caused very largely by trouble with the milk or other food and under Doctor Goler in Rochester the infant mortality was diminished more than one-half in a single year, because there was an expert in charge of that department. It is to be said to the credit

of the Dayton management that the infant mortality in that city had been diminished in one year forty per cent by reason of having experts in charge.

Then take the building department. Our loss in America from fires every year is more than one-quarter of a billion of dollars. The loss by fire per capita in Germany is 28 cents, in England 33 cents, in America \$2.25. Now, that difference is an unnecessary loss.

While I was in Berlin on one occasion a fire broke out right opposite the hotel where we were and there was a little fire engine that came up; it looked ridiculously small. The fire was on the third floor of the building and I saw people on the floor above looking out of the window unconcernedly at the flames below and the others, in the floor below, looking out with considerable curiosity at the flames above—not in the least alarmed, because they knew the fire never could reach their floor; and it did not. In a little while it was put out. Why? The building was actually fireproof. How can a German city do that while an American city cannot do it? Because the German city has an efficient expert at the head of the building department. It is not a question of the fire department at all. It is a question of the building department. They build their buildings actually fireproof and the fire can't get from one story to another.

Now, we could save in that way something like \$200,000,000 a year in this country of ours if we had expert management and proper regulations enforced by our cities.

Well, I could go on thus from one department to another. Take the department of finance. There is nothing that requires more expert knowledge than the question of the best method of imposing city taxes, for instance. Expert knowledge is required for the purpose of having uniform systems of accounts that really tell something about a city's condition and an expert is necessary in regard to franchises. The public service corporations have experts of the very highest character, to whom they give very large salaries and the city generally has men who know very little about franchises and a few "weasel words" get into them and in the course of a



few years the city is within the grip of the public service corporations. You need an expert there to take charge of the giving of franchises of a city.

Everywhere special knowledge is necessary. Now, how are you going to get it? You can't elect experts with our plan of an enormous ballot. Is there anybody that has ever cast that ballot here in Chicago who really knows the qualifications of one-tenth of the parties upon it? You don't know and you can't know. If you have a good voters' league, that will tell you about some of them—you have to take what they say; but in most cities the voters' league doesn't exist. That won't do. The short ballot is a necessity to good government; yet you can't have a short ballot if you are going to elect all your experts, and how can you tell their qualifications? You can't tell the expert and technical qualifications of any one man, let alone the dozens that will be up for election. So you can't elect the experts; that is impossible, and yet if you leave it to your council to choose the experts you have something that is just as bad. The council, if it were composed of disinterested and skillful men, might get a good expert; but in point of fact a council is nearly always a political body. There is a lot of log-rolling, "you vote for my man and I will vote for your man." The result is you get a bad lot of officials. There is only one way to get experts and that is by the competitive system, by civil service reform. People used to say about the merit system, "it is all very well for clerks and stenographers and things of that kind, but when it comes to men that require high technical skill and accomplishments you can't get them that way, they won't submit to examination"; and so there were a number of exceptions made in offices where special qualifications were required. They were left out of the civil service examinations. They are the very men whose qualifications can be tested best of all in that way. I suppose there was a time when it was true that physicians of great skill or lawyers of considerable ability and so on would not consent to take competitive examinations conducted by commissions that did not know anything of technical subjects. But conditions have

entirely altered. The commissions don't profess, themselves, to make the questions or to grade the papers, but they call in experts of the highest class in the particular profession for which an examination is to be held. In the examination held for librarian here in Chicago, the most skillful men in the country, Mr. Putnam of the congressional library in Washington, and other librarians, were called to prepare the papers and grade the candidates, and they succeeded in getting for the public library of your city one of the greatest librarians of our country.

We find that not only are chemists and engineers and men of that kind employed in this way, but even high administrative officers. For instance, the superintendent of the lighthouse service is so chosen; the chief of the fire department in New York city was so selected and the superintendent of Indian reservations. Those are places that require large administrative ability. You say "How are you going to examine these men and find out what their qualifications are?" Supposing you were the president of a railroad and wanted to get a man for a position, perhaps the superintendent of an important division, how would you go about it if you didn't happen to know the men. What such a president would do would be this. He would go to those that have knowledge of the respective applicants (for instance, the men they had worked for) and he would inquire of each "How long has he worked for you, how many men has he been in charge of, what has been his experience, what is his education, what are his qualifications, what can you say as to his honesty" and so forth. If he were a careful president, he would take all the precautions of that kind that he could and he would investigate all the references given. That is exactly what the examiners of the civil service commission do in the examination, for instance, of a superintendent of Indian reservations. They don't bring the applicants all together and ask them a lot of questions and see who answers the greatest numbers of those questions,—not at all; but they require that each man shall give the name of ten persons and of those ten persons at least five must be men who have been his superiors or subordinates and they inquire of these men

what kind of work he has done, how long he has worked for them, etc. They give this investigation a grading of four out of ten. Then they inquire of the applicant himself as to his business experience, what men he has under him, where he worked, what kind of work it was, etc. That is what a man does if he be a head of a great corporation and that is exactly what the examiners of the United States Civil Service Commission do. They require him also to write a thesis or article upon what he considers his duty—what he ought to do as superintendent of Indian reservations, and in some cases they also have an oral examination in order that they may test the qualities of the man by means of a personal interview, just as the president of a railroad would call before him some of the applicants in order that he could see which of them appeared to be the most intelligent.

Now, that is the kind of an examination it is. Perhaps it ought not to be called an examination. I think I would rather call it a competitive investigation or competitive test. It is a non-assembled examination. In that way you get the highest kind of service. That is the only way to keep those places out of politics and to have them go really to those who are most competent to perform their duties.

In addition to examining the man and selecting the best man, there is something more that is required and that is that there should be a reasonable amount of permanency in the office. No man of high professional attainments is going into a position when he finds it is subject to political change and where he will go out with the next political wave. He won't take a position upon those terms, but if he has it fairly understood that the tenure is permanent—that so long as he does his duty well he shall stay—then you will get the highest class of expert talent. Of course, you have got to have fair salaries; you have got to pay these men substantially the same as they would receive in private life, although I think the government can even afford to pay a little less and will perhaps get better talent on account of the honor which is attached to an office of that description.

There is another new development in our civil service

commissions, especially in cities, and that is one in which the civil service commission of Chicago has played the leading part. It is based upon the principle that it is not only the duty of the commission to get good people in the service by the competitive plan, but that it is their duty to see that only efficient people stay in the civil service and that if they fall below a certain minimum of efficiency they shall be cited to appear and, if necessary, shall be removed from the service.

And that is not all; there is still another thing. The power which is given to a civil service commission to investigate gave it authority not only to determine the efficiency of individuals but of various bureaus, offices, and departments and methods of organization and thus led to a greater development of efficiency in the entire service. So I think in our cities we will have to call our commissions not merely civil service commissions but civil service and efficiency commissions and that measures to increase the efficiency of the service will not be the least among their duties.

## Humanitarian Aspects of The Merit System

MISS JANE ADDAMS OF HULL HOUSE

Whenever I get an opportunity to speak upon the subject of civil service, I like to do what I can in connecting it with human nature, of which the chairman has just spoken, to show, so far as I am able to, civil service reformers and civil service commissioners what seems to me the next most important step in the development of the merit system as applied to public offices, and that is in some ways to make it a little more attractive, to endear it more than has been done to the public affection.

There is something the matter, is there not, that it has become in the mind of so many people a mere mechanical process and as I listened to the fine address of your president, it seemed to me that his suggestion was most valuable, that the civil service commissioners administering civil service in its federal aspects, should have some power by which they might return a woman who had been out of the service a little more than a year to a position which she had presumably very well filled before, or a man who had recovered from his illness a month too late to come back to his position. Of course, the public would say those two people, if they had performed their service well before ought to be returned; that it would be a great loss to the service to have them kept out because of this regulation. The president ought not to be bothered with it, of course; he ought not to be expected to give his time to such a matter, but it ought to be done, it seems to me without question and because it cannot be done without criticism, without breaking—not the spirit of civil service—but without breaking the regular civil service routine, is one of the things that makes it difficult for many people to care for it, to care for it with the devotion, or the understanding due it and they do not stand by it with the same ardor and enthusiasm that they would stand by a personal friend or a politician who had befriended them. Then the desire to reach the caliph is

very deeply planted in the human heart, I am afraid. Many people do not care for even-handed justice as much as they care for the chance that their particular grievance shall be heard and shall be listened to by someone in power. That is human nature and it has to be reckoned with. Two years ago I was in Egypt and we had a number of little affairs given for us by English judges there who are members of the international court and they spoke several times, I remember one evening a very brilliant egegesis given by one of the English judges at this dinner table and he spoke of this irreconcilable—I was going to say irresistible—desire that he found in the heart of the easterner for finality. He don't care to be treated with justice, that seemed to be very slow and disagreeable treatment. He was quite willing to be put out and to be put down a hundred times if there was a chance that the next time, the one hundred and first time, his claim might be heard and his personal relation considered. Now, I am sure that in some wise that in the broader justice and in the broader view of human nature that this feeling, that this desire can be incorporated in the merit system because until it does, until the merit system makes that adjustment, it has not squared itself with human nature.

I should like to give a few illustrations, if I may, of the sort of things which it seems to me we ought to do in this matter and which perhaps are being done not through the federal service, but some things that have been brought to my attention in the last two years in the city service. For instance, in the matter of—shall I say the efficiency department which we all admire very much in Chicago; there is something to be done even further than testing the efficiency of the civil servants, that is to reward that efficiency by pushing forward the best men and dropping the men who cannot hold their positions at all, or ought not to hold their positions. It is of course a step forward, the whole matter of detailed examination or the professional examination, but if in addition to that those civil service men felt that the civil service commissioners were looking at the situation as a whole, that they were guarding them as the soldier is more or less

guarded when he goes to war and becomes part of a great national organization; as has been so often said before he is fed and cared for and nursed if he is sick and if he is sick he is cared for to the end of his days and when he is wounded he is liable to have a pension to the very last day of his life. If some such assistance as that could be brought into the civil service, showing a grateful country afterwards, the people who are serving it in those humble and less glorious positions, I believe that would lift it up out of this suspicion of being a mechanical process and put it in the place it deserves, of a great humanitarian and great human movement. I was told for example of the condition in the Cook County Hospital, a place as you all know where all the poor people who can afford no hospital, repair. The menus of that great hospital were practically arranged by the cook, a man who had a salary perhaps of sixty dollars a month and he was practically arranging the diet for these hundreds of people, not only the patients but the doctors and the nurses and all the rest of them. Well now, of course, that was too much for the cook; he couldn't do it and do it well and the menus were very little changed for thirty years and it took this civil service commission to suggest a county dietician and create a position of county dietician and put in that position a woman who had taught diet in the University of Chicago School of Education, in connection with the University of Chicago, a woman well qualified to prepare the food, to prepare it to suit; but before that they didn't think much about it and didn't consider it very important. That seems to me is the part of civil service, to see not only to efficient administration from the point of view of the civil servant, but from the whole situation of the whole group.

I see a great deal of the letter carriers because for many years I have been the head of a sub-postal station and I am considered on the part of many letter carriers, I am happy to say, as a co-laborer and they come to me to tell many of their difficulties. They feel very strongly exactly what the poor teachers felt, exactly what any body of people feel who had studied very hard in order to better the service and have studied very hard in order

to be promoted in that service. They have all the disadvantages of civil service and none of the advantages. They are not assured a pension and no one is looking after their comfort as they go along from one stage to another, that no one is very much concerned that the burden shall not be too heavy. Take, for instance, a letter carrier, where three or four apartment houses are erected in his territory, which multiplies the number of letters he has to deliver enormously. Then he has to make the complaint. There is no one watching the situation and he feels that he is not being watched over and cared for in the same way, his comforts are not being watched over in the same way that he is being watched for any mistakes or slips he may make. The detective side of civil service, the desire to find out the rascals and turn the rascals out, which was more or less the cry when civil service was instituted, it seems to me still clings to it too strongly, perhaps not for efficiency in a certain way but still clings to it too strongly to make it appeal as it deserves to us and must be before we are sure it is established as a part of the permanent government agency of our American life. And many other things, of course, occur to me as I look back over my long experience in Chicago. Years ago, in Dunning, I remember for instance, when Dunning was not only the poor house, as we called the poor farm,—the infirmary but also a great many insane patients were to be cared for and they could not get a good farmer. Over and over again, the farm was a loss to the county and always failed, of course, to supply the inmates with the potatoes and onions and other things which it ought so easily to have produced and therefore a civil service examination was held and a civil service farmer went in and everybody was very dubious about this civil service farmer because it would seem such a difficult thing to test, but the man went there and after the second year had a party and the commissioners invited their friends and we were called upon to view these huge mounds of potatoes and onions and cabbages and other things which were growing there to feed this vast collection of people throughout the winter. I was very anxious to run up a flag. I said "Why not put



a notice on those mountains of cabbages and other vegetables showing that they were raised by a civil service farmer," and everybody said "That would be very absurd, the cabbages are there, the cabbages are going to be eaten and that is all there is about it"; but of course that is the kind of opportunity, it seems to me we lose, as adherents of civil service, we don't "whoop it up" so to speak, as politicians do, all of the time. The commissioners were there and we were very friendly and they were very proud of this showing and some of them were inclined to take the credit to themselves, in some mysterious way for this civil service farmer because all of this had been produced in this given administration, but really the credit was due to the merit system, to the men who had insisted that the farmer should not be employed merely because he was a friend of one of the commissioners,—although he might have been a sewer contractor or any other thing but a farmer as in former days, but we do not seize those opportunities to show the success of such service and to translate it back into actual foundation and actual saving, not only of money, but in ministration to the comfort and health of the people who are now dependent upon the officers who are put over them, who control them.

Now, I am saying this very badly because it is late and I am sliding over the points I wish to make and am using only one or two illustrations, but I am sure many other illustrations occur to all of us during the years in which the merit system has made its way in America and has become established here and there, in almost all the cities and all the states in some sort of fashion. We have not done enough to show its advantages to the people from the point of view of the great public benefaction it is to the people.

I have been living in one ward twenty-five years which is ruled by a very successful politician and I have had occasion from time to time to see how he does it and I am always longing to turn into civil service the methods which the alderman in the 19th Ward uses, and of course we would turn into civil service many of the things which he does. Many of the things which he does could

be done by the servants employed under the merit system. We never point it out and no one ever makes any point about the affection which is poured out upon him for doing the same thing which is done more satisfactorily through civil service. Take the street-cleaning department, he has made employment for the men who sweep the streets and each man who had a chance to sweep the streets was perfectly devoted to this alderman and greatly concerned for him and his re-election and I might say he has been steadily elected for twenty-eight years. That kind of thing we could do much more, if we wanted to. If we could assure the men who are now sweeping the streets with some degree of certainty of their hold on the position, that they are paid better than they used to be paid, that they have better hours than they used to have; that much more concern is taken in regard to their comfort, all sorts of things could be pointed out and the point is that they discover that they are free from the man who gave them intermittent jobs or took away at his pleasure and they are very grateful to the splendid system which has given them so much more.

Of course, it is hard, I suppose, to humanize a system but I do believe that the Civil Service Commissioners who have done so much in Chicago and elsewhere, if they put their minds to this part—to this need of civil service—might do a great deal more in that direction and they would get much more devotion and enthusiasm for the whole system and for the whole movement than has yet been secured. I do not say this, in any sense, I am sure, by way of criticism; but sometimes people who start a thing have to fight so hard to get it and get absorbed in its success, do not see that they are leaving behind them a trail of possible misunderstanding and misapprehension which might be rectified if they turned their attention to it and I am not going to say anything more. It is 20 minutes past ten and I am sure you have had enough civil service for to-night. I will only say that perhaps some time you will all look about you and find out ways of making this wonderful thing a little more engaging than it is at present.

## Address

HERBERT E. FLEMING, EDITOR OF CIVIL SERVICE NEWS

There are, as I see it, three chief points of view in reference to the civil service cause: The point of view of the public, as an employer, which gets its expression chiefly through the civil service reform associations and other civic agencies, and the civil service administrator, who is right on the job administering these laws; and then, finally, the point of view of the civil service employees, whose rights and interests under the law as to entrance, continuance in service and retirement from it are paramount to its success.

Now, I have gone into the other end of the work, the work of giving expression, in so far as the weekly paper can, to the point of view of the civil service employees on the merit system, trying to advance their legitimate interests under the merit system law in so far as that sort of medium can.

Now, the methods to be followed and the principles to be considered I take it are just the same in the practical way of getting civil service legislation from congress and from the state legislatures. And the question might be amended: What is the practical way for a civil agency like a civil service reform association to get legislation from a legislative body? And in a sentence or two the answer is that among all of the methods to follow the most practical way is to use the power of a civil agency as an organ of public opinion in relation to publicity and directed toward the legislatures and others with some sort of common sense understanding of human nature as it works out in the legislative line.

Some of the first ideas on this subject we can get from James Bryce's great work on the American Commonwealth. There are some chapters there about government through public opinion and the place of the association in public opinion, and unless I remember altogether incorrectly Mr. Bryce, who probably has seen

America better than any one who has looked at its operations at a closer range, laid great stress on the place of an association as an agency of public opinion in declaring principles, stimulating ideas, formulating programs, arousing public opinion, introducing issues and finally creating that sort of an effect of a growing, sweeping, spreading movement that will carry the whole country along with it; and that is what, among other things, the National Civil Service Reform League and its affiliated bodies, of course, have done to a great extent already. But the thing I might have to offer is something out of a daily newspaper experience, and that is that the civic agency ought to take account of news values and the conditions inside of newspaper offices in working on this subject and in building up public opinion. The poor city editor is in about the position our honored president here would be if every lady and gentleman in this room should rise in his or her chair and demand recognition at once. A newspaper publisher has things crowded in on him all the time and his question is what to take, what will interest his readers. Now, it is possible that out of all the human interest values there are in this great question of employment in the public business—it is possible to develop very interesting human interest stories illustrating the difficulties of the spoils system, and human interest stories on the other side of the matter which will get publicity if submitted at a time that meets with the requirements of the newspaper editor. Now, in taking advantage of that fact we have got to set our minds on the great objective of all work in the practical way to secure civil service legislation. The ultimate fact is what is going to happen when the bill is up on roll call first in one house and then in the other. And you might trace briefly the steps of a civic agency in taking the power of public opinion and the use of publicity in trying to bring about some results that are favorable at the time of that roll call.

Now, first of all what have we got to bank on? We have got to bank on what has been described by authorities on public opinion as a standing opinion in the minds

of the whole public. There are all sorts of sentiments and ideas that are latent. They are standing there ready to be called out and one of those ideas is an idea that the civil service law is a good thing. It is an idea that has been developed in this country in considerable measure, in large measure, through the federal service through the years of experience. Now, only for example, the letter carriers have been going about the cities of middle size and larger size as walking delegates of the merit system, giving the people a service that satisfies them in the main. And so I remember in the session of 1911, at Springfield some of the downstate legislators would say "Sure, civil service is all right for letter carriers and railway mail clerks and very good for rural carriers, but all these are state jobs and we want them; and anyway they don't belong to civil service." At the same time, you could reason with him that the state service was a part of the people's business just as much as federal business and if it was a good thing in one place it would be good in another. And so, from the experience of this country first of all with the federal service then with the state service, firemen, clerks and policemen, if you please, and the men who carry on for the public the service that the public pays for, that come in close contact with the people it appears that the service has been so good that there is to-day in this country one of those fixed opinions that amounts to a prejudice. It is just as deep-rooted and as fixed as a great many other prejudices that are well known to the city editor of any newspaper, to the editorial writer of any newspaper and to the politician. And so the civil agency in trying to get civil service legislation has got this fund of public opinion, not to create but to awaken, to arouse. Now, the first thing to do is to devise some way or other of making the proposition an issue. I believe at every session of Congress and every session of every state legislature in the United States there ought to be introduced, early in the session, and proposed considerably in advance of the session an affirmative bill for the extension of the civil service law.

Now, one reason for that is that the politician comes back and says you are on the square. That is one rea-

son, but another reason is that it is like foot ball. If a team can keep the ball down toward the goal line of the other side, even if the game comes to a draw, you are that much better off; but if the other side is crowding you down to your goal line all the time, the chances are bad.

Now, when the civil service law in the session of the last Illinois general assembly came up, if we could have made the issue the extension of state civil service law rather than the defense of the existing civil service law the result might have been just the same, but I believe it would have had this difference, that the educational work would have been that much further along than it was after the defensive fight against the effort to repeal the law. In 1910, we had the good fortune to get it on a little ballot proposition, an advisory vote in the state of Illinois. The question was put to each voter in the state; Shall the civil service law be extended by proposing adequate legislation? Now, it was just an advisory vote, did not bind anybody, but it gave something to talk about, something to work for in that connection and later when bills were proposed. Bills for the session of 1911 were drafted by the executive committee of these Illinois Civil Service Reform Associations in November and December and were issued to the public as news coming in a political way in December, and they drew publicity. We did not send them to the papers for their heaviest days. We sent them the days when the chances were that other news would be dull. And there I might suggest a point. Any civic committee has to be carefully made up of representative citizens, not all of one party, and has to pay close attention to the idea of protecting its character as a truly non-partisan and non-factional body—and it takes some work sometimes to protect your integrity along those lines in dealing with public men who are trying to put civic organizations as well as their political friends in what they call a hole. You have to be careful to protect your position as non-partisan and non-factional. Now, if a civic committee made up of citizens of that character

whose public spirit is known, has at its back a man like Mr. Keyes of the National organization, or Mr. Blackwood of the Illinois and Chicago Associations to gather facts these facts are laid before that committee and the committee reacts to them, it is a fair reaction of the sound sentiment of the community, and if the report is then issued in the name of that committee it is pretty likely to be given to the public and if it is issued with the element of time taken into account it will make a great hit with any city editor of any metropolitan daily and he will print part of that report. He will feel safe that there is no dangerous comeback on that report, and so you get publicity at a time when it is mighty hard to get publicity for a good, safe and sane reform like civil service. But it can be done. That helps the poor editorial writer out. Here he is, a brain-fagged man, trying to write profoundly on every subject under the sun for an audience that expects something unusual and wonderful of him. I had some experience on one of the dailies here. It is some job.

Now, the report from the executive committee of a civil service reform association which has attained the reputation of being on the square is a perfect godsend for an editorial writer, if it has been preceded by some news which the city editor has taken up and published in his paper. There is the interest story followed by the editorial and the editorial must point a moral and the moral is pass the bill proposed by this body of citizens. That is not any dream at all; that is one of the most practical things there is in modern public life, this fact of publicity and its relation to news values. Now, that creates a sentiment after that. Of course that can be worked along in the primaries at the psychological moments when legislators and prospective legislators are in a frame of mind that might be called receptive. They are ready to declare themselves along right lines when after nominations or elections they might feel there was no particular necessity to declare themselves, although I do believe that any civic organization is not justified except in very, very strenuous circumstances to state

to the voters that its proposition, even civil service, should be the sole test of fitness for a candidate for the legislature, although civil service is one of the best tests.

Now, you have created your issue. You have got your legislature more or less pledged as the session approaches. Then one of the most practical things for the civic organization to do is to go into refined lobbying—follow the legitimate methods of lobbying, one of the first things to do is to have a representative of the civic agency at the state capital or at the national capital at the time the various houses are organized and to have known friends of civil service apply for positions on the civil service committee.

Then, after having the bills introduced it is necessary to take account of partisan prejudice and have a Democrat introduce a bill on one side and a Republican on the other. Take for instance these blanket clauses Mr. Igoe has spoken about. There was a blanket clause for state service and a blanket clause for county service. The Republicans were in control of the state service and the Democrats were in control of the county service. There were a number of positions concerned under each bill, say about the same, about twenty-five hundred, and the extension in each case seemed to be—well, it was a little more in the county—the legislature said “Well, it is horse and horse. That is a fair deal,” and they blanketed the state Republicans and the county Democrats, that is about a division practically. And of course civil service reformers hated the idea of blanketing, but it was a practical proposition and they knew from experience in the federal service,—in the service elsewhere that hold-overs taken in transfers from the spoils area as soon as the civil service law was in force, they used that as their protection and the tendency of all men who have come in under the spoils system, almost without exception, is to break loose from their machine political connections, their spoils connections, and walk the straight and narrow path that means protection under the civil service law. It is the truth and it is a practical thing. Ideally it looks—why it looks like “What kind of civil service men



are you offering to blanket"? But practically, it is a sensible thing to stand for in getting legislation.

Now, having made sure that you will get the bills reported out, then you have got to arrange for proper hearings, you have got to line up for contest. All the citizens' committees, employers and business men, civil service administrators have got to come and answer the serious questions and objections that members of the committees raise.

Now, on that point the most effective argument for extension of the merit system is the chance to point to some effective administration in this or that or the other service. The greatest advocates and champions of the civil service law almost, when it comes down to practical business, next to the employees, are the civil service administrators and it is, of course, mighty poor tactics as a legislative proposition to call attention of the body on the eve of a session of the general assembly or during the general assembly or a session of congress to any glaring defects in civil service administration and a favorite practice of legislative bodies is to assign investigating committees to try to raise a rumpus about civil service administration and throw dust in the eyes of the public. A wise civil service reform association will be practically on the job to watch and counteract any such effects.

Finally, I would come back to the point that the civil service employees themselves are the best arguments for extension of the merit system and that one of the most effective things to do with any legislative body is to have delegations of civil service employees and civil service employees' organizations come to the legislative halls and present the cause. I might come back to the federal service just one point, because all our state extension, all of our municipal extension comes back to the lessons out of our common country and our national government and I have a strong feeling that the federal civil service law should be extended into every possible corner of the government—the administrative government where the spoils system prevails; and I feel we

ought to advocate in every session of the general assembly or congress affirmative legislation along that line. Of course our federal law is an executive order law which, if a president through some unforeseen influence should overnight change his views and issue a new executive order we would be in very bad shape for most all the service, but of course as a practical proposition a president would hate to do that for fear of public opinion and also because of the physical difficulty of handling the number of office seekers that he already has to a large extent.

Now we ought to work for extension of the federal civil service law; ultimately for a constitutional enactment and ought to put federal civil service as one feature. Mr. President, that calls, it seems to me, for the earnest consideration of this body and of all others interested in civil service legislation and this question as to superannuation. That service is old enough now that one of its most conspicuous aspects is the fact that there is a large body of aged and aging men and women in it who somehow or other ought to be honorably retired from the service on pay. Now the obstacles are very great to the accomplishment of such legislation, but there is no doubt about it that there are the seeds of revolt against the federal civil service law in that constitution because the humanitarian sentiment of the community will not stand for a wholesale elimination of these faithful old public employes from the service; you may call it sentiment, you may call it a humanitarian feeling, but it is there and the public won't stand for it. There are very few administrative officials heartless enough to attempt it. The problem increases with each passing year. Now that means that as a prerequisite to extension of the merit system in the federal government and in the state governments there soon must be some sort of retirement legislation for the federal civil service employes.

Now, Mr. President, I have rambled all over the legislative law and if there are any other points on this matter of public opinion in relation to newspaper publicity and getting legislative action I will leave you to imagine them, except one, and that is that your legislative repre-

sentative on the job at Washington or at Springfield or any other state capitol—and the states of course, are the most backward sections of the public service—but your legislative representative has got to take the human, the personal factor into account. He has got to spend a tremendous lot of time making the personal acquaintance of the upstate legislator and the downstate legislator. He has got to get onto the principal quirks in that man's mind in order to be able to meet them with sound arguments in favor of the merit system extension. It is a matter of considerable work, day and night and Sunday too, but it can be done. A civic agency is sometimes too prone to forget the necessity of this final thing of having men there to see that this or that legislator is there in his seat on the day when the roll call occurs, and that he votes right.

By the way, there is another point. The Governor should be notified softly and respectfully that his activities, both in the presentation of his message to be read by all the people and also in those gentle hints that he passes out to his particular following in the legislature—he is to be gently and respectfully and firmly watched on that subject, and the facts about him—what he does—are to be reported to the public just as the facts about the general assembly or the congress are to be reported out.

Now I believe that if this organization in its state branches and its national scope can follow these plans and others that may suggest themselves, there is no doubt that the time will come, and reasonably soon, when the merit system will extend and be in full and fair and square and frank operation in every department of the administrative civil service.

## The Practical Way to Obtain Civil Service Legislation

HONORABLE MICHAEL L. IGOE, MEMBER OF ILLINOIS  
LEGISLATURE

I might say at the commencement that I have been a civil service employee myself, have been regularly examined and appointed under the federal civil service law, and have held a position under that law in the city of Washington, and later on I was unfortunate enough—or fortunate enough to have been elected to the Illinois general assembly, and down there there came before me, as well as before the other members of that body, an opportunity to view civil service legislation from a standpoint entirely removed from that of a civil service employee.

Now, when we come to discuss the practical method of obtaining civil service legislation in Illinois, it might be well to talk for a few moments about the practical difficulties that encounter the enforcement of such a law in this state. These difficulties at the present time and within the recent past have been perhaps purely political.

One party has been in control in Illinois almost exclusively for some twenty years until 1912; and as one of the last acts of its existence it passed a very good and a very comprehensive civil service law. That civil service law went into effect at about the time that party went out of power; and in any discussion of civil service legislation, at least in a general assembly, there must be taken into consideration the practical end of it from a political standpoint. Now, you know the fellow who gets out into the different parts of a state or a city, or a county, and works in a political way—I mean the fellow who goes out and asks John Brown to vote for Bill Smith, or Bill Smith to support John Brown, nine times out of ten that man is looking for something, and when the man for whom he has been asking votes and when the party for which

he has been working are placed in power the man who has been doing the work expects a little something and that little something is a political position. Now, there were enough people out working for a certain party in this state back in 1912 to completely change the political situation in Illinois, and when election day came and when it departed a new party had gone into power; and when that party had been placed in power the persons who worked for its success and the men who got right down to it and who did the real work out in the different political subdivisions of the state,—they immediately thought: "Where am I coming in? How am I going to get that which I was seeking, and where is our reward for having done this work?" And when they had an answer made to their different requests that certain positions were covered by the civil service law and that therefore it would be illegal to remove from those positions men who had been placed there legally and who held them by civil service tenure, those people could not understand at all; and the result has been that the real test of civil service in Illinois has been met and has been passed within the last two years. It was not met when they placed the statute on the book saying "All these positions are under civil service, and all of these are under civil service" and setting forth that the manner in which it went under civil service was so that any person on the books and records as of a certain date of 1911 should be a civil service employee. They did not require a whole lot of heroic action, nor a whole lot of ability on the part of the people who did it. But the real test in this state came when in 1912 and afterwards when the civil service agents down at Springfield stood up and said "These men all through Illinois are under civil service. This law has been legally passed. It is upon our statute books and it must be enforced."

Now, that was the real test of civil service in Illinois, and too much credit can not be given to the members of the commission, particularly to Mr. Burdette, the chairman of the commission, to Mr. Robinson, the secretary, and to Mr. Moulton, the former president of the old administration and now a member of the present civil

service commission in this state. These men, together with the other member of that commission, have gone on, and they have gone upward and forward with the sole idea in mind that that law, even though it blanketed thousands of people in Illinois into positions over-night, it was our law and it should be enforced and it must be enforced. Now, that was the real test that civil service was put to in Illinois, and that was the real difficulty that each had to meet, and that difficulty has been met and passed.

Now, that is one of the practical difficulties that are encountered in the enforcement of civil service legislation. Of course, you folks who have to do with the enforcement of that law, don't encounter these difficulties in the manner in which they are presented to perhaps all of the legislative body that has to do with the enactment of such a law. So great was the resentment to our law in certain parts of Illinois that one of the members of the assembly introduced a bill to repeal the entire civil service law and you might be surprised to know that when that motion was made in a committee of the general assembly it passed the committee and was reported upon the floor of the house at Springfield—a bill to repeal the entire civil service law in this state. And of course the members of the assembly who believe in civil service and who were advocates of it had to stand up there and face the fire and vote down the bill which sought to repeal the law which is now upon our statute books. Now, as I stated, that is one of the practical difficulties that are met with.

Now, we have had a county civil service law here. The supreme court said the legislature did not pass it just right and they set it aside, declaring it unconstitutional.

In the last session of the legislature a bill was introduced to re-enact that civil service law. There was much opposition to one feature contained in that bill and I think much of that opposition arose from very just grounds.

The first county civil service law here had a blanket clause in it, and provided as to a certain date every person upon the books in certain offices should go under

civil service. They did so when one political party was in power. Now, that took with it practically all of the large county offices here in this local county. There were, I think, the recorder's office and one or two other offices were not under that—that is, the change did not occur in those offices; and when the elections took place after the law went into effect, there were not so many changes occurring in those particular offices. But the point I want to make about that law which was introduced is this: that law was declared unconstitutional by the supreme court on February 20th, 1913. There was introduced in the general assembly a new county civil service law on February 26th, 1913. The petition for a rehearing was filed in the supreme court, I believe, in April, 1913. Now, the former county civil service law simply provided that all those who were upon the books on a certain day should go under civil service. The new law provided that the act was to go into force and effect on July 1, 1913, and all of those who had been upon the eligible list or all of those who were in positions at any time within four months previous to that date should be reinstated.

In other words, they had a retroactive clause in there which would take us back four months. Now, between the time the law was declared unconstitutional and the time it was sought to be put into effect, of course most of those men were discharged; and you know you can not convince the fellow up here, once John Brown has been put out of a job and Bill Smith put out and Henry Jones or Charlie Clay goes into that job, you can not convince the people in those jobs that they can not fill the jobs just as well as the fellow who was put out, and there was a great hue and cry, and I think there was much justification for it, when they sought, not to have a blanket clause from any certain day, but to go back four months and put into office all those who had been discharged. And that, I believe, was the real reason why the county civil service law met defeat in the last session of the legislature.

Now, that is a difficulty that might have been very easily bridged and overcome, if people had seen the light properly.

Now, one other difficulty. For many years they have been attempting to have civil service for our municipal court in Chicago, and really they should have it; but each time they propose a civil service for the municipal court of Chicago, they cover it up and slide it behind so many other things, and large things too, that the people completely lose sight of the civil service feature and the whole thing goes down in a heap. Unfortunately, so far as our municipal court is concerned, civil service there has always been submitted to a referendum in Chicago. Now, the first time it was submitted there was also submitted to the voters a proposition raising the pay of all city judges, and the people here thought the judges were being paid enough, and when it went to a vote of the people, a majority of the people came forward and agreed they were being paid enough and they would not pay them any more; but when they voted down the increase in salary to the judges they also voted down civil service and it was lost. Within the last year or so they again submitted certain amendments to the municipal court act; among them was a provision providing for civil service. But one of the provisions they submitted to the people was a radical departure in our enforcement of criminal law in the city of Chicago. It practically did away with our grand jury system, and there was much comment upon that. There were indignation meetings held all over Chicago. Large crowds came out, and when the people went to the polls to vote on the proposition they completely lost sight of the civil service which was one of the propositions. They wanted the grand jury system and voted on the proposition that took away the grand jury system and defeated it and with it went the civil service proposition, too.

My heart goes out to the people who have to enforce a civil service law. It would not do at all in the presence of so many ladies to tell the different things one hears said about the different civil service commissioners, and they are pretty nearly all put in the same class; but if it was ever recorded—the different things that have been said and that are being daily said about those good men



and good women who have to do with the enforcement of the civil service law, I am sure the government would never permit such a publication to go through the mail.

Now, in conclusion, I merely want to say this, that in its final analysis the real, true way to a better understanding among all people of civil service legislation, of what it means, what it stands for, is by the creation of that sort of opinion among the people of the communities in which you work that will convince them that civil service is right, that we should have it and that it is for the best interests of our government that it should prevail, and I am sure that too much credit and too much honor can not be given either to the press throughout this state and the other states of the union, and to the good people who spend their time, their energy and their money in furthering the cause of civil service.

## Retirement Legislation in Relation to Efficiency

L. E. SWARTZ, VICE-PRESIDENT NATIONAL ASSOCIATION OF LETTER CARRIERS

Permit me to introduce my theme with an excerpt from a speech delivered in the recent session of Congress:

"I want to be candid about this matter. I have for this system very little regard, almost as little regard as for the old spoils system which it supplanted. The trouble with the civil service system is that it is beginning to fill the departments of the government with useless and helpless employes who are no longer capacitated to earn their salaries, but who are kept upon the pay roll as a sort of gratuity or as a sort of pension, which is not only unjust, but which clogs the service and prevents the younger and more useful persons from securing promotions in the service.

"The civil service has been in operation only a few decades, I believe only three, but already in one Department they have fifty to sixty employes who are utterly incapacitated to render service. And the fact is that in all Departments of the Government there is coming to be a large list of old and decrepit persons who are practically rendering no service to the Government. And this holy system of civil service, at present in its youth, when it reaches its natural growth in this country will fill every department with old, decrepit men and women who cannot be kicked out under your system and who will remain on the pay roll under your civil service system to clog the departments and to draw salaries from the tax payers of the country without rendering any service for those salaries. And, bad as the old spoils system was, it was a better system than the civil service as administered by the Government today. I think it would be a good thing to come back to the spoils system for a while to clean out the Augean stables in Washington. I should like to see

another Andrew Jackson come into the White House and put \_\_\_\_\_" (members of a certain political party) "in every department of this government of ours."

The blank in the preceding quotation does not indicate deletion by any official censor in the interest of political neutrality. It was purposely left by the present writer as basis for the remark that no matter how one fills the blank the proposition is equally vicious. Whether the missing word is filled in with "Republicans," "Democrats," "Progressives" or "Socialists," if the members of any present or future political party are to be given even a temporary monopoly of government positions, the greatest sufferers from this retrogressive act would not be the discharged civil service employees, but the great American public, whose service immediately would deteriorate to the disgraceful condition prevailing prior to 1883. *En passant*, pardon the interpolation that this whole subject would be greatly clarified if legislators, public and employees alike were to recognize the basic fact that the primary purpose of a model civil service law is simply to provide for efficient service, and that all correlated considerations, such as permanence of tenure during good behavior and efficiency, promotions upon proved fitness without political intervention, and retirement annuities when efficiency is past, are all subordinate propositions, of value only so far as they support or buttress the primary object of efficiency.

Reverting to the introductory quotation, its general accuracy in statement of facts cannot be denied. The indictment lies. The diagnosis is correct. The congressional enemy of civil service lays his hand in no mild manner upon the sore spot of the service. His charges can be substantiated. In the absence of a retirement law, departmental customs are widely divergent, ranging from the indulgent carrying of the aged and infirm employees on the rolls at full pay, down through a shifting system of demotions and pay reductions in alleged accord with diminishing efficiency, down to the brutal dismissal of the worn-out employee without consideration, as fit only for the human junk-heap.

Nor is any one system permanent, but varies with the varying views of successive heads of departments, so

that to-day no employe can possibly know how he will be treated when his eye grows dim and his days of vigor are spent. This policy of vacillation and uncertainty is even worse for the service than would be either extreme as a fixed condition.

Be it said to the credit of many heads of departments, that they display a broad spirit of humanity by permitting the aged employe to remain at his post of duty and to perform the ever-lessening volume of work that his slowly-fading faculties will permit. Do you object to this? If so, a personal question for you. Were you in the place of power, and did you know that an employe under your jurisdiction had served faithfully and well at a bare subsistence wage for thirty or forty years—for all the years of strength and vigor allotted him by providence—and that now in the chill autumn of life there was no legal provision for his retirement at part pay, would you be the responsible one to cast him helpless forth to feed from the cold hand of charity? Your indignant "No!" is all-sufficient justification for the humane extra-legal course of those department heads who are kinder than the law allows.

But however our consciences may justify the retention of superannuated employes upon humanitarian and equitable grounds, the inevitable results are increasingly manifest in lowered efficiency, not only of these aged retainers themselves, but all the way down the line, like a blight upon the service, spreading through all grades. Promotions are retarded not alone of those employes immediately in line for the places now nominally filled by these superannuates, but also of those workers still lower in the scale, giving more than mere color to animadversions upon the service. We must accept the alarming diagnosis as substantially correct; but by no means are we constrained to accept the proffered remedy of return to the discredited and discarded spoils system, which under the pretense of a cure would prove but a poison.

How, then, shall efficiency be attained and civil service reform continued?

Mankind is of such infinite diversity that no two minds will react in exactly the same manner to the same stimulus. The psychologist has not yet arrived who can in-

dicating mental processes with the accuracy of chemical formulæ. But from long experience and by close observation one can safely make positive prediction in a general way as to the effect of influences bearing upon civil service employes for good or for ill, and from the countless factors of efficiency the writer will name four of the outstanding ones, and trace upon each of these factors the enhancing effect of proposed retirement annuities.

1. High personnel of entrants. This is the very foundation-stone of the entire structure. Unless men and women of good character and proper ability can be induced to enter the government service, all other attempted reforms can at most be only palliative. We are told, "The best should serve the state," and the assurance that a lifetime of faithful service would earn a peaceful old age upon the nation's honor roll would be an inducement now lacking to bring the best blood of the country into the government service.

2. Retention of skilled workers during their entire period of efficiency. Through actual working experience, and not otherwise, comes expertness in the performance of duty. But under present conditions a distressingly large percentage of government employes resign just when they have become sufficiently expert to be of real value to the government, and this in most cases because they fear to face the old age of uncertainty and probable penury which awaits them if they stay in the service. This appalling drain would be effectually checked by the sure prospect of retirement annuities for persistent employes.

3. The third factor of efficiency to be considered is the one now applied only in the most haphazard and frequently cruel manner, viz., elimination of the superannuated from the service. But with the proposed improvement enacted into law, this elimination would become automatic, and would lose its cruelty, for each employe would know that after a certain period of faithful service he would legally be entitled at his option to retire on a definitely stated annuity, and that if he declined to exercise that option, then upon arriving at a certain age limit he would automatically be retired upon an

annuity commensurate with his period of service, an annuity as fully earned and as unquestionably his right as is his current pay. There would then result an upward step of experienced employes in all grades, with the consequent admission of vigorous new blood at the entrance grade, so that the service would be revived throughout.

4. Good will of employes. It seems strange indeed that in this land of freedom any employe would work for any employer, public or private, for whom he did not have a hearty feeling of good will. Theoretically, it is almost unthinkable. But as a matter of hard fact, necessity oft compels men to toil for other men toward whom they entertain sentiments far remote from good will. At times even government employes face their daily grind under unnecessarily distasteful conditions, and always with a future prospect most disheartening. Through the efforts of the conservative organizations of government employes, who bear ever in mind the good of the service, many of the former distressing working conditions have been ameliorated, and the end is not yet. As every student of economics knows, with the improvement of working conditions has come increased efficiency and proportionate betterment of the service. But there still remains the haunting fear of an old age of decrepitude and penury, a fear which detracts from the energy of the worker even at the prime of life. Remove that fear and you will add an element of hearty good will not measurable in dollars and cents, but very real and very great. There will result a quickened sense of loyalty and a cheerful striving for excellence that will permeate all grades of all departments.

Against these four factors of efficiency may be set the four opposing factors of inefficiency: 1. Mediocre character of entrants. 2. Loss of experienced workers in prime of life. 3. Retention, in whole or in part, of aged employes. 4. Cheerless service.

These four factors of inefficiency are present evils, each and every one of which will largely be eliminated by retirement annuities, as we have just seen.

In respect to provision for the declining years of their employes, the so-called soulless corporations of this country in large measure are setting a worthy example

for our government, in retiring their aged employees on part pay. A complete list of the railroads, manufacturing concerns, mercantile and banking institutions who are thus rewarding faithful service would read like a directory of the business world. Your common-sense tells you that these great corporations are not charitable institutions; their directors must answer to their stockholders for these expenditures totalling millions of dollars annually for their retired employees, and this answer is couched not in terms of charity or magnanimity, but in clear tones of business expediency. These vast sums are thus expended solely because it pays in increased efficiency of the employees who are still at work, and just as surely would the same policy pay if inaugurated by the United States.

On this point let us consider the testimony of Mr. George W. Perkins, who says:

"In the large corporations with which I have been connected there is no longer any question about the increased efficiency that has come from the policy of providing better sanitary conditions, better compensation for accidents, and adequate pensions for old age. That is admitted.

"These plans were gone into purely in a business spirit, believing that they would so knit together vast organizations of men and women, would so stimulate individual initiative and interest in work, would so strengthen and develop *esprit de corps* as to make it possible to increase business and increase earnings, and with the spirit of being willing to share such increased success with employees.

"Where lack of interest formerly existed, where men were dull and listless, new life and interest have sprung up, and men vie with one another for improvement in their work. This means additional profits to the business, profits both to capital and to labor. . . .

"In many lines of industry great waste exists through the constant changing of employees. A man or woman works a year or two in one business and then leaves to enter some other business for a slight increase in wage or better working conditions. The waste in this one practice alone has been enormous—enormous to employer, enormous to employee. On the average, there is

a distinct loss to a business in continually changing employes. There is no efficiency in business more effective than that which comes from a force of men and women who have worked together for a long time, who know one another, co-operate with one another, and who work as a compact, well-organized body. . . .

"Our government has something over 250,000 employes in the classified civil service. The average salary is approximately a thousand dollars a year, possibly a trifle under. This means that there are a great many employes who receive a great deal less than this sum per annum, which means that for them to provide against accident and old age out of their pay is practically an impossibility. . . .

"Statistics show that there have been over 90,000 voluntary resignations in a period of eight years among civil service employes, mostly of men who have been in the service less than ten years. This, of course, means that these men were young men, active men, men whom the government really needed in its business, and that the men who remained were older men, less active, less ambitious, somewhat less efficient. The younger and more active men sought other fields where their labors would be more properly compensated—where compensation covered not only service rendered day by day, but protection against accidents and provision against old age. This change has been more rapid in recent years because of the changing policy toward this matter by corporations of various kinds. The government alone has suffered."

No one can question the authority and ability of Mr. Perkins to speak for the business world on this subject.

How are the other nations of the world solving this problem? Of all countries, the United States stands practically alone in making no provision for the declining years of civil employes, all other great governments recognizing the fact that by a lifetime of service an employe has fully earned a lifetime of subsistence, even though life be prolonged far beyond the bounds of productivity. There is no dissenting voice among all these nations as to the salutary effect of retirement allowances in promoting efficient and faithful service, no suggestion anywhere of



the abandonment of the plan, but here and there suggestions for administrative modifications or for extension of the system now in vogue. It would seem axiomatic that any system of employment that calls for the continued service of an individual at a low or moderate wage for his whole lifetime of ability, should have as its logical corollary adequate provision for the support of that individual so long as he shall live.

It is sometimes seriously proposed to dismiss all civil service employes after holding office for a limited term of years, say from four to seven. As a cure for old-age inefficiency this would be effective—just as effective as decapitating a patient in order to remove a wart on the nose. The defect would be gone, and the life gone with it. If the removal from office after a short term were absolute, it would mean that at all times a large percentage of the employes would be comparatively inexperienced and incapable, and that 100% of them would be far more interested in what they should do for a living after separation than in rendering good service during their brief term. If the removal were not absolute, but reappointment possible for another term at the "discretion" of the head of the department, the main efforts of the employes would not be in the direction of good service for the public, but rather to such political activities in behalf of their chief as would make them "right" when their time for reappointment should come. In either case there would be a distinct lowering of the *morale* of the force, and the service would be even less attractive than at present to men of character and ability.

From any possible point of view, a short tenure would bring into the service far more evils than it would cast out, and would result in utter destruction of efficiency.

It is frequently asked, "If federal employes are not now paid enough to enable them to provide for their old age out of their salaries, why not merely increase their pay enough to make such provision possible?" This suggestion usually comes from friendly sources, and certainly sounds like a fair and reasonable proposition, but let us analyze it. As to inadequacy of salary, it is a shameful fact that many positions in the classified service pay no more in dollars today than they paid a third of a

century ago, while measured by the necessities of life which those dollars will buy there has been a very great lowering of salaries all along the line, a decrease of pay which is a most terrible problem to a government employe with a family. In order that your public servant may live and modestly support and partially educate his small family, justice demands immediate restoration to his salary of that portion which has been taken away by rising prices. But, if that restoration were made, and to that a genuine increase of salary added, it is a distinct credit to human nature to be able confidently to predict that in at least nine cases out of ten that increase would immediately be absorbed in making a little better provision for the needs of the family. The children might be sent to high school instead of to work, and a little approach made toward the American standard of living on which we pride ourselves. High school finished, your public employe might possibly assist his children toward the fulfillment of their ambitions for a college education. When a civil service employe has obeyed the primal injunction, his paramount duty thereafter is to his children, to equip them to the very limit of his ability for at least a chance of success in the struggle for survival in this world of fierce competition.

Any father disgraces the name who will hoard for his old age at the expense of his children at the formative period of their lives. The thrift that forces the young children out of school to eke out the family income, the frugality that causes arrested development of the growing generation, the economy that denies to the young their due means of culture, are all abominable vices parading as virtues. To a low-paid civil service employe straining every fiber in a desperate struggle to properly rear a family on a pitifully inadequate wage the popular prattling of "thrift" and "economy" and "saving for old age" bespeaks neither soundness of head nor kindness of heart on the part of the bountiful dispensers of counsel, and the charge of shiftlessness so frequently heard against the employe who has spent his all on his family is a most cruel insult.

The instinctive desire of mankind to help each succeeding generation to attain a higher plane of thought

and a fuller life has ever been the most potent factor of civilization, and today stands preeminent with promise for the future. Take that away, and you remove all reason for the continuance of the human race.

But no man can achieve the impossible; your civil service employe cannot spend his money on the education of his children and the consequent betterment of the human race and at the same time hoard the same money for his declining years. And if he spends it properly he is a better husband, a better father and a better citizen than if he saves it improperly. But old age comes, his money is gone, and our problem is not solved. What shall the solution be?

This is the solution we propose. The National Association of Letter Carriers, the United National Association of Postoffice Clerks, the National Association of Civil Service Employes, and many other organizations of federal employes, are supporting a measure introduced in the 63rd Session of Congress by the Hon. James A. Hamill, of New Jersey. It is designated as H. R. 5139, and, briefly summarized, provides for retirement at half pay of any employe in the federal classified civil service after thirty years of service, at the option of the employe, or at a less per cent after twenty or twenty-five years, or even after shorter service if the employe become permanently disabled through no fault of his own. The optional feature of the proposed law ceases at age seventy, when all employes are automatically retired at annuities based upon length of service, but in no case exceeding half pay.

This measure has received the unqualified endorsement of many state legislatures, of the Common Council of Chicago and of many other cities, and of hundreds of civic, industrial and business associations throughout the nation.

We feel assured that the enactment of this bill into law will add the finishing touch of stability to the civil service, protect the public from the danger of a reversion to the spoils system, do justice to faithful employes, and, above all, make the public service incomparably more efficient than it can possibly be under existing law.

## Removals in the Civil Service

### SUPPLEMENTARY STATEMENT OF THE SECRETARY, IN BE- HALF OF THE CHAIRMAN OF THE LEAGUE'S COMMITTEE ON REMOVALS

While the League's Committee on Removals has no complete report to present at this meeting, yet it has been deemed wise for the chairman to supplement the preliminary report of last year with a brief statement, which may result in securing constructive suggestions for the solution of the difficult problem of removals.

Since the preliminary report was presented at the Boston meeting, there has been an interesting development of the subject in the New York service. Inasmuch as this experience in New York has a direct bearing on the position taken in the report of the League's committee, I will anticipate the report by a historical discussion of the removal question in the New York state and city services. In 1904 the New York state civil service law was amended so as to give employees of the state of New York, in the counties comprising the city of New York, the same protection against unjust removal as that given the New York city employees by the New York charter, i. e., requiring a statement of reasons and an opportunity to make reply. As far back as 1888, furthermore, the New York law had been amended by providing that veterans of the Civil war should not be removed except for cause and after a hearing, and in 1896 this was further amended by giving to such veteran employees the right to have their removal reviewed in the courts by a writ of certiorari. This was extended later to cover veterans of the Spanish-American war and of volunteer fire companies. In addition, members of the classified service in the police department, the fire department and street cleaning department in the city of New York have been given the right to a trial, involving the right to review in the courts by writ of certiorari.

From the review of the New York law as given above,

it will be seen that there is no uniform system of removals for competitive classified employees in the New York state service. Some employees in New York city have only the right to a statement of reasons and an opportunity to make an explanation before they are removed; others, like veterans and members of the uniformed forces of the fire, police and street cleaning departments, may be removed only after a trial, which may be reviewed in the courts by a writ of certiorari. Employees of the state employed in the counties constituting the city of New York have the same protection as classified employees of the city of New York, while other state employees, except veterans, may be summarily removed at the discretion of the appointing officer. Up to 1914 the New York Civil Service Reform Association had advocated legislation providing for a uniform system of removals, based on the provision applying to New York city employees, i. e., the right to make an explanation and a statement of reasons before dismissal. This bill has never passed. For several years, however, the New York Civil Service Reform Association had officially advocated that system of removals for competitive classified employees.

Even where the procedure advocated by the New York Association has not been followed with court review, it has been seriously criticised because of the undoubted fact that the rule permits an unscrupulous appointing officer to remove a man on charges which are not true. Individual cases of unjust removal have occurred for this reason, and political pressure has been brought to bear on the head of a department to retain an unfit employee or to discharge an efficient employee. Criticism is frequently made, on the other hand, that under the procedure advocated by the New York Civil Service Reform Association, or even where the head of a department has an absolutely free hand in removal, department heads hesitate to exercise that power for one reason or another, and that removals have actually been too few rather than too many.

All of these reasons were submitted to the Executive Committee of the New York Civil Service Reform Asso-

ciation, which took a new position in the matter of removals in the civil service. A bill for an administrative board, under the jurisdiction of the Civil Service Commission, to regulate removals was introduced in the legislature. All questions of discipline were to be handled by this administrative board, composed either of the civil service commission, a member of the corporation counsel's office or the attorney-general's office or the district attorney's office, and a member of the competitive classified service of at least equal or higher rank than the employee concerned. This board was to hear all complaints against employees, taking such evidence as it desired, and decide upon the penalty. Its decision, when affirmed by the civil service commission, was to be final, except where the head of a department had a constitutional power of removal, in which case he might either approve the findings or reduce the penalty. In no case was review by the courts allowed, except by writ of mandamus on the question of whether the procedure had been complied with.

Representatives of the Civil Service Reform Association believed this system, as embodied in their legislation, to be fair and equitable to all concerned. It was argued that it would relieve the head of department of the petty details of inflicting discipline and of the political and personal pressure which is often brought into play when employees are brought up on charges. The employees were told that it would provide them with an impartial outside grievance board before which they would receive a fair investigation, and that it would lead to greater contentment within the service and raise the entire tone and efficiency of the public business. The experience of Chicago was referred to, and it was shown that heads of departments in Chicago had testified that it was far easier to discipline an employee when charges were brought before a disciplinary board than when the department head himself had the power to discipline. At the same time the testimony of leaders of employees' organizations in Chicago was secured, to the effect that the system was entirely satisfactory to them and that they would oppose any attempt to change it. In spite of

the theoretical and practical arguments in support of this legislation, it met opposition from two sources. First, the heads of departments argued that it would interfere with the discipline of their departments by taking from them the entire discretion over removals. Second, the employees, while agreeing that the legislation was an improvement on the existing system, yet opposed the bill because it did not grant them the right to a trial and review by a writ of certiorari, now enjoyed by veterans. They supported legislation whose purpose was to require a technical trial before dismissal, with a right to review by writ of certiorari. Even in the face of such opposition a favorable committee report on the bill was secured in the assembly, and thirty-eight assemblymen approved its purpose and plan by voting for its final passage. It is confidently expected that the New York Association will in the coming session of the legislature advocate placing removals under the jurisdiction of the civil service commission.

From this brief statement it would appear that civil service reformers in New York are in agreement with the position taken by organized advocates of civil service reform in Chicago and Illinois. It is, therefore, the opinion of the chairman of the League's Committee on Removals that the preliminary report read last year might profitably be read this year at the Chicago meeting, and that the suggestions resulting from the discussion be referred to a new committee to be created by the Council at this meeting of the League.

## Discussion following Secretary's Statement in Behalf of Committee on Removals

### Mr. Catherwood:

I suppose I am called on because I happen to be a member of the Committee on Removals. I would like to say this for myself, that while I was very much in accord with the general sentiment and the general trend of this report, I do not, however, assent to the specific and detailed plan which is here outlined.

I suppose a man is necessarily the product of his surroundings and in Illinois we have had for twenty years a very short form of law on this extremely difficult question, because the question of removals is a very difficult one. We have had a short form of law, which has been before the Supreme Court many times. It has been tested this way and that and the other and it has been found sufficiently elastic to meet the conditions which are the conditions of a growing service, of a live thing, because the civil service is preeminently a human thing and it preeminently is subject to change from time to time. This section of the law that we have in our Illinois laws, as I say, is the one that we are accustomed to think is the right section. Now, there is one point I would like to make and that is that it seems to me that primarily it should be borne in mind that a removal section is essentially a part of an efficiency system. If you undertake to deal with this question of removals, not as a part of an efficiency system, I am afraid that there is likely to be disaster. I think perhaps this can be said in Illinois—I believe that I would not be contradicted when I say it, that in so far as the employee is concerned, he looks upon this section of the law as one whose repeal he would oppose. To him it is perfection. To the administrator, trying to compete, as he must, with private businesses which are grabbing up experts and trying to make the city and county and state government so they can enter into that competition and get these men who are in a way *prima donnas*, and they will leave if they are



not properly treated and properly taken care of, by the civil service commission, I think this trial board as a part of the efficiency system is regarded as valuable to the department head and President Eliot stated, in his address in Boston that some ten of the Chicago department heads had signed a roundrobin in favor of the trial board clause. To the department head, it relieves him of a most troublesome and disagreeable question, which he is very glad indeed to saddle off onto the civil service commission and if you consider your service as a whole and if you have efficient service as a standard, this is one of the sections of your law which is essential to build up your efficiency system. I would criticise especially, if I may be allowed to digress here in regard to procedure. I think it is unfortunate, to say first definitely and for all cases that the personnel of your trial board shall be thus and so and to put that into the statute. That first section, no doubt in many cases, would make an excellent trial board yet I can contemplate other cases where that composition of the trial board would be unfortunate.

In the second section, I think it is quite important that in a removal section you should not use the word "offenses." If a man comes to the civil service commission to take an examination and he does not pass that examination, he is not guilty of an offense. There is no offense about it. Now then, if a man is in the service, on the merit tenure and he does not come up to the standard, he is not guilty of any offense. He is simply inefficient and I think it is very unfortunate to inject into the idea of a trial board a notion that a man is necessarily guilty of an offense. Of course, there are some times when in rare cases there are offenses that are committed, but that is not the object, not the main thought in the trial board section.

**Mr. Keyes:**

May I interrupt you, Mr. Catherwood? What do you propose where we have no efficiency provision?

**Mr. Catherwood:**

I should think where you have no power or no control of the matter of efficiency that you better let it alone.

I should let the trial board alone entirely in that case. I think it is dangerous to touch it. I don't wish to be too positive about that, but that would be my answer to that question offhand. I would want perhaps to reflect upon it a little more carefully; but, offhand, that is my idea.

Now again, where you describe the function and powers of a disciplinary board, you say the complaint or specifications shall be read to the person against whom an offense is alleged and he shall be permitted to make such explanation as he desires to submit. What would you do in case they didn't show up? What would you do in case he simply left his work? That section of the law would be very, very troublesome in a case of that character.

I should hesitate very much to limit by any positive provision of law the right of an employee to have legal counsel. Candidly, my own personal impression about the lawyer before the civil service trial board is that he is an unmitigated nuisance and that is very largely a personal impression; but I don't see why a man should be deprived, if he wants to have a lawyer plead his case, but I do feel that a civil service commission which is—or a member of a civil service trial board which is hearing a case has a substantial and noble function to perform. He himself ought to consider himself as the attorney for the employee. He ought, at the same time, to consider himself as the attorney for the head of the department. Now, those are apparently conflicting interests, but after all it is not a conflicting interest because what you are doing is precisely the same thing that you are doing in an examination, namely, you are making an investigation to ascertain whether the merit possessed by this employee has now dropped down below seventy. That is what it amounts to. It is the reverse of the merit system of entering the civil service.

**Mr. Foulke:**

I must say that I am greatly opposed to the adoption at the present time or in the near future of this scheme for a trial board and there are certain considerations

which I want to bring up before the League, preliminary to the discussion of the question itself.

In the first place, if we limit the power of the head of the office to dismiss those who are subordinate to him, we reverse the entire policy of this National Civil Service Reform League; and not only that but take the experience of those who have been the organizers and founders of the entire civil service system,—George William Curtis said so long as the doors of access to the civil service were properly guarded, that the back doors could safely be left open and at first the League did not impose any limitation whatever upon the powers of the head of the office to dismiss or otherwise discipline those whom he regarded as unsatisfactory. At a later period when dismissals were found to result very largely from political causes, President McKinley made an order by which he provided that before a dismissal was made, the head of the office should state the reasons for dismissal, and he should give the party affected the right to reply and reasonable notice and that after that, the power of dismissal should remain unlimited. That was the rule when my experience began in the Federal Civil Service Commission and our experience during the entire term of office, while I was there, was strongly in favor of that limitation and that limitation only. So that it worked a great deal better at that time than the continuous trials which were held in the different states, in the different city commissions, where the courts interfered with dismissal and interfered with the discipline of the office and we always congratulated ourselves that the federal service was free from any such difficulty; unjust removals, the arbitrators' office and those things made for political purposes constantly diminished; whatever evils there had been in the old system constantly grew less and less. When it was found impossible by the head of the office to fill the particular place by a man of his own choice, for political reasons or other reasons, the principal motive for making unjust dismissals disappeared and on the other hand the power of the head of the office to have under him such men as were satisfactory to him was continued.

Now, there is another thing. Does the National Civil Service Reform League want to turn to "right-about face" of all our past policy and of all our past arguments; for it is very largely upon the fact of the right of removal being one that could be exercised at the discretion of the superior officer that we have gone to the public and denied the statement that a life tenure was being built up in Washington?

I remember when the Democratic party nominated Mr. Bryan as President, he placed in the platform that they were opposed to the life tenure that was being built up in Washington and among the different employees and Mr. Bryan in a letter of acceptance said that the thing which they opposed there was this same substantial life tenure which was being built up in the departments at Washington, D. C., at that time was opposed to civil service reform on account of the permanency of tenure of civil service employees. When we went to the committee upon that question we said "that is not true, there is no life tenure, any man found to be inefficient and not doing his duty efficiently can be dismissed at the discretion of the head of the office and the only reason given, the head of the office should state for what reason he is being dismissed and give the man an opportunity to reply but the ultimate power of deciding must always be in the head of the office."

If we adopt this change, we go back on our past record and give up all the arguments against our strongest enemy, declaring our system to be a system of life tenure.

Over and over again, in congress, it has been proposed to make the tenure of office four years or a certain number of years; but we have always said "You can dismiss them any time, there is nothing to prevent." That was our argument. If we have got to give that up, you will find there is a great deal of additional strength in the argument of the spoilsmen that the civil service should be turned over every four years or six years or eight years or whatever that may be and filled with new men. I think it is objectionable for that reason and there are some other provisions in this which I would object to, but the main ground of the objection is

this, that is, it will necessarily destroy the discipline of the office: Every head of a department is responsible for the business of that department and yet if you adopt this, he is not the man that can select the persons who are to fill his department and if they are unsatisfactory, he can't turn them out; yet he is responsible for the business of his department. Who would carry on a private business in that way? It could not be done. Not very long ago at the National Municipal League, we had a discussion of what is known as the manager form of city government and the manager of Dayton gave his experience about it and he said that one thing he insisted upon, or one thing he wanted to have the control of, was the control of the power to dismiss whom he employed. Otherwise, he said, the business could not be carried on well and it cannot be. You cannot run a department of a private business or public business or anything else unless you have the power to determine that a person whom you engage who is incompetent and ineffective must go. There is no person that holds any position that has a vested right to the office under our system of government. No man has any right to any office or to the salary of an office unless he is competent, and the very moment you adopt the other system that an office is a vested right, we get into something that is absolutely and utterly undemocratic.

Are we to turn over to a third party, to a commission, to a board appointed especially for the purpose, are we to turn over to a third party the right to dismiss because there is some greater evil? Isn't it our business to defend ourselves against that greater evil? Isn't it our business to say "We are opposed to the question of removal being reviewable by a court" and stand for the ultimate ideal, for what is the right thing to do? In this case, in the matter of administration and the right thing to do is to leave the administration of an office in the care of a man who is responsible for that office.

Now, it is said this thing is going to relieve the head of the office. All right, have the trial board or have the civil service commission relieve the head of the office whenever he wants it. If he prefers that the case should

be left to the trial board, let us have the trial board for that purpose but he himself must be the absolute judge whether or not the removal is proper, if he is to be responsible for the conduct of the office. You cannot hold a man responsible for the conduct of the office unless he can control; if somebody else is to decide who is to be in the service and who is to go out, he can't control the office. I don't think a self-respecting man would want to take charge of a large department where he would be so completely stripped of control of that department. If this thing works well here in Chicago or in New York and other particular places, let the local associations do what they think best, but that we as a National League for the control of the Federal service should adopt such a thing as the trial board is not only reversal of our policy but it is the adoption of an extremely bad principle.

**Mr. Wilcox:**

Mr. Chairman, I would like to call attention to the fact that this question is a debate not really over a matter of principle at all, but over a piece of machinery and that we are all of us here in absolute agreement upon the merit principle of appointment to office and upon the principle that an appointee who has earned a position in public office on the basis of merit should be retained there so long as he renders meritorious service and should be dismissed for failure and no other consideration except merit and fitness should enter into either the employment, the retention or the promotion of a man. Now, that is all there is of the principle. Everything else is machinery tending or not tending to help us arrive at that consummation.

Now, it is perfectly obvious that a piece of machinery that works well in some climates and under some conditions does not in others. There is no one piece of machinery which is of universal application. Communities differ; conditions differ, state administrations differ; grades of employment differ; the sections of this country, the north and the south, the east and the west differ very largely in their habits and their observations. To

my mind it is perfectly obvious, as a student of this subject, although I am not quite as old as Mr. Foulke, yet young enough to be capable of learning a lot from a community like Chicago that has stepped so far in advance of many of us in the administration of the merit system as embodied in their local law and in fact generally throughout the state—to bring the matter right to a head, because I see I have got to be very brief, I am thoroughly opposed to the League consenting at all to this principle embodied in this section as a portion of the federal civil service law of general application. I think it would be a very dangerous step for us to take. I think there are many branches of the service and many conditions under which it probably would not work well. I am opposed to the suggestion that in the federal service any such method of ascertaining merit and fitness of those who are in office should be immediately advocated for adoption. I think it would be a great mistake to do so for there is one marked distinction between the conditions that exist in the federal service and state service in New York at least,—I believe generally in the state service, growing out of the fact that in federal service the courts have never interfered with questions of removal and it is purely an administrative question. There is no power in the federal court or any other court to interfere and that complication which you think so serious as one in New York City and some other states and localities, of interference by the courts with the proper administration of this system by the heads of departments and by the civil service commission has not existed and that makes a distinction which is of the greatest practical importance.

Now, on the other hand, it is true to my mind in New York City and in some other parts of the service in New York State that we need something of a step like this and we should take it and I am in favor of the particular bill which has been drafted and introduced into the legislature by New York, creating this system in New York City.

Mr. Dana:

Now, I was brought up under George William Curtis to believe if you made access by the front door by the merit system, the back door would take care of itself, but I think George William Curtis was arguing on *a priori* grounds. There had been no adequate experience. Now, late experience has proved again and again that removals are made improperly. Now, it is not altogether politics in the ordinary sense of the word, because the man is a Republican or Democrat, I refer to a case like this, that when the chiefs of police had an organization—a chief of police came before the Massachusetts Legislature to request that they be not put under civil service rules. One of their strongest arguments was “We can’t enforce the closing hours regarding the selling of liquor or many of the other high-license law provisions because if we do we are turned out of office and we want to be classified” and then they got classified and they now say even “that is not enough because our policemen and some of the best ones and I myself tried to enforce the law and the whole ring are against us and they do everything they can to thwart us and get us removed”; and if that is left generally to the appointing officer to give a hearing, that doesn’t amount to anything. Mr. Arthur Brooks, who believed as I do in the open door at first attended one of these hearings and it made his blood boil at the manner in which the hearing was conducted where the man who had already put himself on record as desiring the dismissal, was the judge and jury and executioner. I am not speaking on the matter solely of justice but on the ground of good to the public service. As already intimated I know some large corporations that consider it to their best interest and to the best interest of preserving order to have a trial board. They don’t want to have their employees strike because Mr. B. has been removed from the job because of some misunderstanding, they had far rather have a hearing which was a fair hearing and let the employee and the employer be present with a disinterested party and everybody is more satisfied.



It is easier to maintain discipline and easier to prevent strikes or threat of strike that might come from the feeling that some man had been unjustly used, when perhaps that very man was not telling his comrades the truth and was misleading them, whereas if they attended a hearing where all the facts were disclosed they would be satisfied and they would say the man ought to go into some other kind of work or that they had been misinformed by somebody else and was very glad to have the man remain. The head of the Adams Express Company told me that he had a trial board as much as fifteen years ago and in every case the employee would make an appeal to him personally and while if he was at the head of it, he had large divisions in different parts of the country and if a division superintendent recommended a man's removal, he was given the right to appear and he was tried by the trial board.

Now, I think it may be questioned that it would be wise for us to recommend any particular plan in detail for a model civil service law. I am not convinced one way or the other about that, but I am convinced of this, that we want to have the opportunity not only of preventing unfair removals, but of getting fair removals, for there is the other side of this question; not only does a man get removed because he enforces the law but a man is retained now no matter how inefficient he is or how bad he may be in some respects just because he does not enforce the law. Now, I want to see a way by which we can compel the enforcement of laws such as we have had in Chicago, when a policeman is complained of for not knowing there is a gambling place where he passes up and down every day when everybody else sees the gambling place, we want to be able to have the man brought up and discharged.

If a man passes second class B wheat as better than A wheat and he is under suspicion of having received a tip it is very easy to prove that he doesn't know the difference between class A and B wheat because he passed B as A wheat and then remove him on the ground of inefficiency; and you don't have to prove what you never

can prove that he received a tip to pass it as Class A, all you need to prove is that he has classed them wrong and remove him on the ground of inefficiency. I like that system and I believe there is something in it worth our studying. This report is but a preliminary report. We will go further and have a full, thorough report and that other question we have got to deal with practically. If people are going to ask for a court review, it may not be necessary for all communities but in that particular community where I come from they are asking year after year and only saved by the governor's veto. It may be necessary to do it there while it would not be necessary in some other communities. I do believe we now have an abundance of experience of removals on political ground in such cities as Philadelphia, removals because a man does try to enforce the law are parallel to removing him because he doesn't enforce the law and ought to be looked into, the failure to remove a man who is inefficient because the head of the office does not want to incur the odium of removing a man, for after all the incompetent man's influence which he gathers about himself and surrounds himself with is his inverse proportion to the square of his inefficiency. I think that is pretty well demonstrated, the more inefficient he is, the more he strives to stay there as the abler man knows he can find a job somewhere else if he has to go. So therefore I think it is important to have some board that will inject efficiency methods into the whole department and give the public the right to complain against the non-enforcement of laws and see why they are not enforced or not properly enforced and have the persons turned out who don't enforce them properly and give the persons who are trying to enforce the law ample protection so those persons who want to have them removed just because they are doing their duty will not succeed; and I think the real genuine political reasons of removing a man because he is Republican or Democrat are not nearly as common as those other cases of removal I have just been referring to, of the failure to remove that I have just been referring to. In all events, I came to Chicago and examined the system here and

later got Mr. Belcher to come here and stay some three days. He was then our Secretary of the League and he examined it and came to the conclusion that, combined with the efficiency bureau system, that it was working well at least in Chicago and was something very well worth our study and probable imitation in a great many other districts.

## A Constructive Program for the National Civil Service

WILLIAM B. HALE, VICE-PRESIDENT OF THE CHICAGO CIVIL SERVICE REFORM ASSOCIATION

An experience of thirty years with the merit system in the national civil service has tended to strengthen adherence to the underlying principles of civil service reform; but it has developed the undeniable need of a more effective application of these principles. In so far as these years have demonstrated that, through varying administrations, the competitive system has not only held its own but has constantly been extended, its strength is apparent. Yet the present system, with its many insufficiencies, is by many complacently regarded as a reform largely achieved and completed and needing only extension to a larger number of offices. This view fails to recognize the new and great problems of government administration which depend upon the development of the civil service. Thus it is not inopportune to offer certain suggestions regarding a constructive program for civil service reform.

The merit law may be regarded from two distinct points of view: It is both a reform, and a constructive system. As a reform it is a barrier against spoils politics; as a constructive system it is a branch of the Government devoted to expert employment and the maintenance of efficiency in the public service. Its original purpose was to destroy the spoils system. But under modern ideas of economics it should not only effect the elimination of politics from the civil service, but should also become a permanent branch of government, performing the great task of selecting all public employes, maintaining the efficiency and economy of the service, and providing for the retirement of the unfit and the pension of superannuated public servants.

When civil service reform began, the spoils system had become a scandal to the whole nation; and the introduction of the merit system was to accomplish the destruction of that scandal. This was the burden of the appeal made from press and pulpit. This was the purpose of Grant's Commission of 1871, and the idea of the Cincinnati Convention of 1872. And when the assassination of Garfield by a disappointed office seeker capped the climax of the spoils scandal, the merit law was finally enacted. Without the scandal of the old system, the new could not have been.

And gradually the reform is being achieved. Sometimes a president of high motives enlarges the merit list. More frequently the competitive service has been increased by many thousands in order to retain political appointees in office. And scarcely a state or a city law is passed that does not count a majority of its supporters among those members of the legislature who desire merely to retain their own party in control. It is clear, for example, that President Taft was and is sincerely interested in developing the economy and efficiency of the public service, and no doubt a strong believer in the principles of the merit system; and yet on the eve of the election in the fall of 1912 he increased the classified list in the post office by 36,000. This increase, holding Republicans in office, has been justly regarded as a political measure by President Wilson, who has ordered that examinations be held for all these positions. And yet, whatever motive inspired him, President Taft thus promoted the cause of civil service reform. And so, by hook or crook, the reform proceeds. It has gained so much that there are now included within the competitive federal service about two hundred and thirty-six thousand positions carrying salaries which aggregate over two hundred million dollars per annum.

But when we realize that there remain unclassified over ninety thousand positions carrying salaries aggregating at least one hundred million dollars per annum, it is clear that even political motives have not been able fully to eliminate this spoils system. These remaining

positions include the higher ones in the civil service, which are now most zealously sought for political uses, and the classification of which would accomplish the greatest amount of good.

In the message of ex-President Taft, which relate to efficiency and economy in the public service, nothing is more striking than his statement, based upon careful analysis, that a saving of at least ten million dollars annually would result from placing in the classified service the local offices under the department of the treasury, of the post office, of justice, of the interior, and of commerce and labor.<sup>1</sup> Not only would such large saving result, but the efficiency of the public service would be thus greatly increased. It is obviously absurd that all first, second and third-class postmasters still remain political appointees. Because first-class postmasters are omitted it results that in every city where the postal receipts amount to forty thousand dollars or more per annum the head of the post office is a man whose qualification for his position is not necessarily any knowledge of the postal system but rather is his prominence and influence in his political party. No wonder there results a postal service in this country which is far less efficient than that of any other great nation.

The reform of the civil service however cannot be accomplished merely by including all non-policy-making offices and positions within the merit rule. The desire for public office was and still is a violent disease of the American people—a plague which needs no mean remedy to exterminate. This disease made the spoils system what it was—the disgrace of the whole nation. And it has so persisted, that today in spite of the vast improvement under the merit law a very large number of employes in the federal service (and in the states as well) are men and women of a political stripe. This results in the federal service from three unfortunate features of the law: (1) the fact that positions may be excluded from the law entirely at the pleasure of the president; (2) that the law requires positions in the competitive service at Washington to be apportioned among the several states; (3) that

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<sup>1</sup>Message of President Taft of April 4, 1912.

the law provides for appointment to office from among the three highest candidates on the eligible list—known as the “rule of three.”

It has really been fortunate that the extension of the merit system has been entirely within the hands of the presidents. It would no doubt have been impossible to secure the passage of a law which had originally provided for the immediate competitive classification of all non-policy-making positions in the federal service. Such a sweeping reform would have met with too much political opposition; it would also have been urged that congress had no constitutional right to compel the executive to choose his appointees in any particular way. But it would seem that after the lapse of thirty years we could reasonably have expected that all non-policy-making positions would have been classified under the merit rule. For no sound reason has ever been advanced for the maintenance of the spoils system in any branch of the public service.

The apportionment provisions of the civil service law are also unfortunate. Locality has nothing to do with ability. The President's Commission on Economy and Efficiency considered this matter in great detail, and in its report of March 25th, 1913, said:

“The element of competition has been minimized in over two-thirds of the appointments made in the apportioned service at Washington, with the result that people are appointed daily to office in the executive departments who are less capable of filling those offices than others equally desirous of obtaining them who have also qualified for them. The United States is being deprived of its due—the best talent available for its work.

The Commission further suggested in its report that in the interest of “good administration” the civil service commission could legally abandon the apportioned service rule; and it would seem desirable that the civil service rules should be so amended as to eliminate this difficulty so far as possible.

It is however through the operation of the “rule of three” that politics retains its strongest hold within the

competitive federal service. When any examination is held by the civil service commission, the three highest candidates are certified for appointment. These three highest candidates will usually include at least one who has political influence with the party in power. Such influence will generally secure his appointment. Such use of politics is directly forbidden by the civil service law itself, but this has not restrained the present Postmaster General from taking recommendations of congressmen, and doing so publicly and as a matter of policy. This situation may not arise so often in filling the positions in the service at Washington, or those which require professional ability. But the effect is felt especially in the post offices in the country districts. The post office is thus kept in politics in the low positions by the abuse of the "rule of three," and in the high positions because they are not in the competitive service.

Thus, and in other ways, the competitive civil service retains a political complexion. And so long as this is true; so long as we have not obtained a body of civil servants recruited from the ambitious young men and women of the nation, who will make this their career; so long as the higher offices are the foot-ball of politics, and the President has a large patronage to distribute or to withhold; so long as the country may be represented in the consular and diplomatic service by mere politicians; just so long will the *reform* of the civil service remain incomplete. Until then the scandal of the spoils system will not have been obliterated. And until the disease for office has been wholly controlled and replaced by legitimate ambitions to serve the nation, it will be unsafe to view with complacency the achievements of civil service reform.

The selection of public servants by civil service examination is no mere makeshift. It is not merely the best method which can be obtained under the circumstances; but, on the contrary, it is, or may be, the best method which could be devised under any circumstances. It is not a temporary expedient which should be done away with as soon as high-minded men can make appointments free from politics. For, in the large service of the government, selections of employes made by experts result in



securing better men and women for the public business than could be secured in any other way. Such results are accomplished by making the examinations practical tests of fitness. The ancient Chinese system, by which students most proficient in the classics received the appointments to public office, is not a desirable precedent to follow. The horse-back riding test given to the applicants for mounted customs inspectors in Texas by Col. Roosevelt is, on the other hand, an example of practical selection. What postmaster or president free from political pressure, could, without long or personal acquaintance with all the applicants, select better border customs inspectors than would result from such a practical test as a part of a so-called examination? It is the same when the matter in hand is the filling of such a professional position as geologist, forester, doctor or lawyer. In all cases, the civil service commission advertises for applicants in such papers and journals as will reach the best equipped persons; and they conduct a practical test which determines impartially the actual acquirements, experience and fitness of each candidate. In such a way, the civil service commission is now filling important technical positions in the classified service; and, with the experience which has been acquired, there is no doubt that the commission could select the very best candidates for the high positions that should be made competitive.

Such practical examinations have now been held for many years both in the national and local services. And yet I venture to say that the great majority of the most intelligent members of any community regard civil service examinations as merely the lesser of two evils, and think that appointments by high-minded elected officers would, of course, be better. This point of view grows out of an ancient superstition to the effect that the merit system is merely a penal code devised by theorists to prevent the continuance of a public scandal and that it is a serious kind of hobble to any right minded public officer. It seems as though the time had come for every one to understand that we make no apologies for the merit system. Practical politicians and practical business men should be

invited to inspect the modern system of civil service examinations, conducted as practical tests, and be challenged to suggest any system whatever that will bring into the public service so high an average of efficient and honest employees.

For the purpose of the merit system is not only destructive; it is constructive as well. It was created to destroy the spoils system, and that is its most important function. But it should survive to become a permanent and important branch of government in control of the great problem of employment in all its phases.

The constructive program to which I wish to call your attention has been outlined, discussed and analyzed by President Taft's Commission on Efficiency and Economy. This Commission was appointed under an appropriation act of June 25, 1910, "to enable the President by the employment of accountants and experts from official and private life to inquire more effectively into the methods of transacting public business \* \* \* with a view to inaugurating new or changing old methods \* \* \* so as to attain greater efficiency and economy therein, and to ascertain and recommend to congress what changes in law may be necessary to carry into effect such results of his inquiry as can not be carried into effect by executive action alone. \* \* \*

The work of the commission was first descriptive and critical and second constructive. The descriptive and critical work was its important achievement; for its reports under this head furnish a critical description of practically the whole government service; and a careful analysis of the detailed work of many departments. This is the basis or foundation, upon which its constructive work was done and upon which such work may hereafter be carried out.

In President Taft's message of January 17, 1912, transmitting a part of the commission's report, he stated that up to that time the vast government organization, including a staff of more than 400,000 persons in the executive branch of government, had never been studied in detail as one piece of administrative mechanism, nor had any foundations been laid for a thorough consideration

of the relations of all of its parts; that no comprehensive effort had been made to list its multifarious activities or to group them in such a way as to present a clear picture of what the government is doing; and that no attempt had even been made to study all of these activities and agencies with a view to the assignment of each activity to the agency best fitted for its performance, to the avoidance of duplication of plant and work, or to the integration of all administrative agencies of the government into a unified organization.

The work of the commission began with a detailed description of the organization of the government as it existed on July 1, 1911. This report, contained in two large volumes, shows, by a detailed list of all positions and places of employment, the various departments, commissions, bureaus and offices, and also the minor units, through which the work is done. The analysis furnished is not in itself a standardization of employment; but it furnishes the basis on which tables of standards may be hereafter made.

The subsequent reports of the commission deal with the organization and activities of particular departments of government and the form of organization for the performance of particular business operations. In these reports, the duplications in the work of the government are considered, and recommendations made for the transfer of the activities of some of the departments to others. It is recommended, for example, that the revenue-cutter service, which costs about \$2,500,000 annually, be transferred largely to the control of the navy, at an estimated saving of \$1,000,000 a year, and with a more efficient service resulting; that the light-house and life-saving services be administered by a single bureau instead of by the present two bureau located in different departments, etc.

The commission also dealt in detail with the business methods of some of the departments. It studied the question of labor saving office devices, of the arrangement of offices, of lighting and equipment, of the problem of storing old records, of indexes, of catalogues, of handling, mailing and filing correspondence, of printing, etc.

Perhaps the most interesting part of its report deals with the adjutant general's office. Ex-President Taft referred to this in his recent speech before the Commercial Club of Chicago. In regard to this office the commission made, among others, the simple suggestion that its correspondence be filed flat instead of folded. The commission reported that the adoption of this suggestion and of its recommendations for handling correspondence would result in a saving of \$250,000 per annum.<sup>1</sup>

It is also interesting to note that this office, though twenty-five years behind the times in its methods, is probably the most efficient of any of the government offices in Washington—an efficiency attained at an enormous expense. The reason for this is said to lie in the fact that the principal function of the adjutant general's office is the custody of records relating to all persons now serving or who have served in the army; the office is thus the source of all information relating to the granting of pensions. The members of congress have therefore demanded very rapid service from this office in order the more quickly to feed their hungry constituents; and they have been consequently perfectly willing to appropriate sums so large for its work that seven clerks can be employed to perform the work elsewhere done by one.

It also appears from the report of the adjutant general's office that the mere use of some standard or records of efficiency are not a form of magic by which economy or efficiency may be attained. Of a certain ancient system of efficiency in this office the commission reported as follows:

"A further reason for high cost is found in another rule which requires the time of every step taken in connection with a case to be written down on the record card, whether by officers, clerks, or others. When this rule was put into force it was expected that it would show the operations so clearly it would be apparent where improvements could be made, and that in the future various steps which had been taken in the past could be cut off, and the work thus ex-

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<sup>1</sup>Message of the President of January 8, 1913, page 53.

pedited. As stated in a report of 24 years ago, this was the object of the committee which recommended the time system. But instead of treating the results as a time study it was grafted on as a permanent part of the system, thereby markedly increasing the cost of operation. The method is justified by the office as a means of locating responsibility for errors. Whenever an error is detected in connection with any piece of work, the clerk to whom it appears from the record the error should be charged is called upon to make a written statement, giving '(a) the cause of the apparent error, or, if the cause is not known, (b) the probable cause, (c) a theory as to the cause'; also 'to suggest a remedy for, or guard against, or means of prevention of this kind of error.' The result has been to add to an already elaborate system a maze of safeguards against almost every contingency which the most ingenious and imaginative mind could conceive as being remotely possible."

I have not discussed the recommendations of the commission relating to the necessity of a national budget, their analysis of an old age pension program or their report on other departments, but enough has been said to indicate that the appointment and work of President Taft's Commission on Efficiency and Economy has furnished the opportunity for a great advance in a constructive program for the development of the federal civil service. The descriptive and critical work of the commission needs enlargement and revision from time to time to keep up with the changes that are made, but it remains in its present form a permanent contribution on the structure of government. The constructive work, however, in the words of the commission itself "should be looked upon as without end."<sup>1</sup> And, again referring to President Taft's Message of January 16, 1912, the President said:

"While in the nature of things the readjustment of organization and methods should continue indefinitely in order to adapt a great institution to the

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<sup>1</sup>Report of the Commission to the President of December 18, 1912.

business in hand, ultimately this should be provided for as a part of the regular activities of some permanently organized agency."

For, while some of the recommendations of the commission were carried out in several departments and affected savings of far more than the commission's own expenses, nevertheless, as a whole, the commission's report furnishes only a basis or starting point from which the necessary constructive reforms may be carried out. It is also impossible to know at present whether the reports of this commission are sound in fact and will stand the test of further investigation and application. But the principles involved are undoubtedly sound, and that great results can be obtained through the continuance of this kind of work seems self-evident.

This constructive program for the national service thus contemplates; first, an extension of the merit list to all non-policy-making positions; second, the elimination of all politics from the competitive service; and third, the extension of the work into the new and important duties outlined by the Commission on Efficiency and Economy. The first can be largely accomplished by the amendment of several laws requiring the confirmation of the Senate to presidential appointments, and by executive order. The second can be largely achieved by an abandonment of the apportionment provisions of the law for the good of the service, and by an executive order to the effect that the highest candidate on the list shall always be certified. The third can be accomplished by sufficient appropriations to the civil service commission for these purposes.

I do not find the suggestion anywhere in the reports of the Commission on Efficiency and Economy or in the messages or speeches of President Taft, but it seems to me obvious that this whole problem is a problem of the development of the civil service merit system. And even the adoption of an annual budget is closely allied to it.

Certainly the extension of the classified service and the further elimination of politics is only a part of the regular work of civil service reform. The analysis of the structure of the executive department also necessarily be-

longs to the work of the civil service commission; for the problem of getting efficient officers and employees into the service is based on pre-requisite knowledge of the character of the places to be filled, their duties and salaries. And this same commission can best prepare the standards of employment for the entire service.

Such standards of employment have been found very valuable under the merit laws in Illinois. The Civil Service Commission, of Chicago, for example, first ascertained the numbers of employes in each department, their several duties and salaries. They then compared these items through the several departments. All the positions were thus defined and standardized by detailed classification, showing duties of employes, their assignment, number, and compensation; and also showing the organization of all the departments, indicating lines of authority and responsibility, and opportunity for promotion. The value of such standardized service is especially important at the time of the annual city budget; for in this way only can salaries throughout the departments be made uniform, and the question of their increase or decrease be considered, throughout the whole service, with reference to the interests both of employes and of the public. The same would be true on a much larger and more important scale in the national government. The complicated inter-departmental relations and duplications cannot be eliminated in a moment or as the result of the report of one commission. The government has been built like patch-work through a long series of years; and it will continue to be built in the future. But when a plan of its whole structure is in the hands of the civil service commission, it would be a poor commission indeed that could not act as a valuable advisor to congress, not only in the initial work of revision which must soon take place, but permanently in the inauguration of new agencies for enlarged activities.

Congress has recently given to the civil service commission special duties with regard to the promotion of efficiency in the service.<sup>1</sup> It is therefore obvious that the

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<sup>1</sup>Gen. Appropriation Act for year ending June 30, 1913, passed August 23, 1912, Volume 37 Statutes at large. 62d Congress, part 1, page 413.

other important features of efficiency above discussed belong in their hands. For as has been illustrated by President Taft's commission with regard to the adjutant general's office, efficiency is not attained merely by knowing how many letters a clerk ought to be able to index in one day. This is, of course, important, but it may at times be more pertinent to inquire whether some sort of machine could not do the same work much more rapidly, or whether perhaps the particular work in question need be done at all.

Finally it would seem most logical that this same commission, which is charged with the duty of keeping in the public service constantly an efficient working force, should have charge of the administration of the retirement of the unfit, from superannuation as well as from inefficiency, and of the pensions they may receive. For this is but the end of the day which the entrance examination begins.

Thus the ultimate plan for a reconstructed civil service should contemplate making the civil service commission into a much more important department of government. The effect of such a step would be at once so to recognize the great value of expert employment in the public service that more would be accomplished in the elimination of politics than can be done by the most stringent restrictive laws. The commission would represent the unification of all the departments. It would amount to an employment exchange and clearing house. Its task would be to study and solve the peculiar problems of employment and efficiency in each department, as well as the problems common to them all. Its records would at all times furnish the whole structural plan of the government's business administration. Its chief would be an important adviser in all questions of administration and budget making.

I do not suggest this program as one which can be carried out in a day or a year. In the report of the Curtiss Commission a statement is made to the effect that they could not hope that the program contemplated by them could be achieved in many years, for it depended largely upon a moral change being wrought in the character of those in control of the government. That such a change has actually taken place at least in part, is shown by the



vast numbers of employes now included in the competitive service. But in the constructive program I have outlined there will be encountered new difficulties due to the inertia of a great machine and the jealousies and selfishness of its individual members.

Perhaps the progress of the merit system has so far been slow because it has been regarded merely as a *reform* and nothing more. And Ex-President Taft has said that proposals for economy are of little force in any political campaign. No doubt this is true; for the people are not interested in mere negative ideas. But the program we are now considering is no mere negation; it is as positive and constructive as, for example, a definite program for the conservation of natural resources. I venture to say that, if properly developed, and presented to the people, it can be made an interesting and important part of the national program, supported by reasonable hope of attainment. The platforms of both great national parties for many years have contained planks promising reforms in the civil service and the promotion of efficiency and economy. Thus the work of President Taft's commission, which forms a starting point for the constructive program we are considering, was a non-partisan effort, and support for this program should be obtained from all liberal minded men in all parties.

Finally, the National Civil Service Reform League is the obvious civic agency which should formulate in detail all the steps necessary for the accomplishment of a constructive program for the development of the national civil service, should consider what part of the program should first be undertaken, and should constantly exert its best efforts to obtain these ends.

## Some Essential Features of a Model Civil Service Law\*

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REFORM LEAGUE

It has been well said that the merit system has a twofold purpose: "First and foremost, to restrain appointing officers from using administrative positions as political spoils; secondly, to establish a central employment bureau ready promptly to provide incumbents to fill any vacancy." What should civil service laws contain to accomplish this twofold purpose?

The method of appointment and removal of the administrators of the law is of extreme importance. Some advocates of the competitive system agree that the civil service commissioners shall hold office during good behavior; others declare for overlapping terms, and still others defend the competitive classification of these important offices. The best thought of the country is divided on this question, and perhaps you will indulge me for a moment if I delay discussion of this point until the end, and refer here to a number of elementary principles which every law should contain, and a few proposals with which no civil service statute should be burdened.

First. All the essential provisions for the system must be contained in the law without inserting unnecessary administrative detail. It is highly important that so far as possible language be used which has been construed by the courts, so that we may have a clear understanding of exactly what the law means.

Second. The commission should be authorized to make rules without the approval of the chief executive, who should have no power to limit the scope of the merit system as contemplated by the statute.

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\* This paper is in part an elaboration of briefs on civil service legislation filed during recent years with the New York legislature by the Civil Service Reform Association, of which Mr. Keyes is Secretary.

Third. Certification of payrolls by the commission is a necessary and effective means of preventing the appointment or employment of persons under one title and their subsequent assignment to perform duties of other positions in violation of the law and the rules.

Fourth. An efficiency and standardization article should provide for a classification on a basis of duties, responsibility and grade of work. Such a classification should proceed upon the theory that promotion should be according to lines of responsibility, as determined by the duties of the position, and that grades should be established with salaries fixed according to the market value of services rendered. Such a classification involves a careful study of the service with reference to titles, salaries, duties, etc. The civil service commission is the proper body to assume this function with authority under the law to make such a study in order to standardize the service.

Fifth. General powers of investigation should be vested in the commission as an effective way of enforcing the law as an aid to good administration.

Sixth. The law would be lacking without a salutary provision allowing a taxpayer to bring suit to restrain the payment of the salary of an officer appointed in violation of the law. Such a section should give the taxpayer protection against the illegal payment of salaries to persons who have secured their positions through fraud or other violations of the civil service rules not appearing on the face of the record of appointment.

Seventh. No one will question that the connection of any officer or employee with the levying or collecting of political assessments or contributions should constitute a misdemeanor and that the whole system by which an employee of the people is forced to give up a part of his salary to a political party under an implied threat of losing his position is thoroughly mean and despicable. The law should contain a prohibition against political assessments of employees.

Eighth. The principle of prohibiting office holders in the classified service from engaging in political activity is a merit principle. A specific prohibition against political

activity upon the part of persons in the classified service is a necessary complement to a civil service law in its purpose to divorce the public service from politics.

If it is agreed that at least these eight principles are fundamentals, permit me here to refer to three proposals which I believe have no place in a civil service law.

First. In its efforts to man the operating forces of a government with highly trained experts the civil service commission should not be restricted by a provision requiring residence in the community as a qualification for appointment. Such a proposal is chauvinism of the rankiest sort and should not be countenanced by right thinking communities. Yet we have the spectacle of the New York State Commission recommending to local commissions that residents of the state be given a preference in examinations. Governmental expertness is not a matter of residence and the community has the right to seek the leaders of their chosen lines of endeavor without reference to residential qualifications.

Second. Preference in appointment and promotion to veterans of the army and navy is unjustifiable and detrimental to good administration. The interests of the service itself should be paramount to the personal interests of any class, however deserving of public recognition, and the interests of the service require that persons classified alike under the civil service law should be treated alike. I would not deny any proper recognition to those who fought in the wars of the country, but this recognition should take some other form than preference in the civil service, which makes for a privileged class and discriminates against other classes of employees equally competent to serve the state. It is true that in some states Civil war veterans now have a preference in appointment and promotion. Those who fought in the defense of our country over fifty years ago had extraordinary claims to the country's gratitude. They were favored for office before the institution of the merit system, and the laws establishing that system simply continued the then existing preference. The civil war veterans are old men and do not take examinations in such numbers to interfere seriously with the competitive system. This is not true with regard to vet-

erans of the Spanish war and other minor wars or to veterans of the militia and the volunteer firemen.

Third. The insertion in a civil service law of a provision for civil pensions seems to me unwise. This is a very difficult subject. Even before the consideration of legislation to meet this problem a thorough investigation should be made to determine whether a retirement system can be devised which, without imposing an undue burden upon the taxpayers, will tend to increase the efficiency of the public service through caring for the old age of those who have served long and faithfully. A system of retiring annuities embodying correct principles can be made to rest upon a sound actuarial basis. At the present time, however, the data are almost wholly lacking for devising a sound plan to meet the superannuation evil at reasonable cost to the taxpayer. An inquiry should ascertain and set forth accurately the facts essential to determine the cost to the taxpayers of establishing upon a sound actuarial basis a retirement system applicable to employees already in the public service. We need to know not only the length of service and the age of each employee, his salary at entrance, all increases since and the character of the service rendered, but many other determining factors. The unwisdom of enacting any retirement system into law without the collation of this information seems apparent.

This reduces the further discussion of this paper to two important essentials of a model civil service law, namely, the removal of employees and the tenure of office of civil service commissioners. I believe that all questions of removal, reduction in rank and other penalties for insubordination, misconduct or inefficiency should be handled by an administrative board under the jurisdiction of the civil service commission. A plan advocated in New York, as you know, provides that the disciplinary board should consist either of three civil service commissioners, or of at least one of the civil service commissioners, a representative of the legal department of the city (or in the case of the state of the attorney-general's office, or of the office of the district attorney) and a representative of the competitive classified employees of equal or higher

rank with the employees concerned. I am convinced that this is the proper solution of this vexed problem of discipline. There is in New York a feeling of discontent among the employees that they do not have sufficient protection against unjust removal. This feeling has emphasized itself in the efforts of the employees to secure the passage of legislation giving them the right not only to a formal trial before removal but to review by the courts by writ of certiorari. A bill accomplishing this purpose has actually passed the legislature but was vetoed by the governor. The efforts of the employees to secure this legislation are by no means at an end, unless a reasonable plan can be devised which will be fair both to the city and to its employees. The plan proposed in New York is fair, I believe, in every sense. It facilitates the removal of the inefficient employee and grants protection to the efficient public servant. It is not an untried scheme, but, as you know, is one which has worked with the greatest success in other jurisdictions—notably in the Illinois state service and in the services of Chicago and Cook County.

In considering the method of appointment of the civil service commission, we must again refer to certain elementary principles. The civil service commission is a check upon the untrammelled power of appointment by an executive. If the commissioners held their offices solely at his will this check is apt to be less effective and the commissioners less independent in their action. It has not been unknown in the past for a governor to direct the action of a civil service commission contrary to its views as to the best interests of the service. The commissioners in many cases act in a quasi-judicial capacity and are often compelled to act in opposition to the wishes of heads of departments and influential persons. It is desirable, therefore, that they should have a relative independence. Continuity of policy and experience are fundamental requirements of an effective administration. A consistent policy based upon actual experience should be the goal of all civil service commissioners. The Conference of New York State and Municipal Commissions as far back as 1908 believed that a fixed term of office for

civil service commissioners would insure this continuity of administration. The Conference further believed that the uncertain tenure of office of the commissioners (at that time all commissioners served at the pleasure of the executive) seriously interfered with and prevented "the fullest exercise of independence in the official acts and conduct of the said commissioners." The Conference advocated that a fixed term of office would give the commissioners a greater feeling of independence, while the requirement that the executive may remove a commissioner on stating in writing the reasons for removal and affording him an opportunity to reply thereto, such statement of reasons and reply to be a matter of record, would not prevent the executive from being able to remove an inefficient or corrupt commissioner.

The National Civil Service Reform League some years ago approved this method of appointment in a draft of a civil service law for cities. At the request of the Assembly of Civil Service Commissions, the Council of the League in 1913 appointed a committee to co-operate with a committee of the Assembly for the purpose of drafting a model civil service law for introduction in the state legislatures. The committee appointed from the League includes Elliot H. Goodwin, Secretary of the Chamber of Commerce of the United States of America, and former Secretary of the League; Robert D. Jenks, Chairman of the Council of the League; and Robt. W. Belcher, former Secretary of the League and now Secretary of the Municipal Civil Service Commission of the City of New York. To this committee have been added President Richard Henry Dana and the present Secretary of the League. The committee of the Assembly consists of Hon. John T. Doyle, Secretary of the United States Civil Service Commission; Hon. Robert Catherwood, former President of the Chicago Civil Service Reform Association, a member of the Council of the National Civil Service Reform League and recently President of the Cook County Civil Service Commission; Hon. Charles G. Morris, President of the Connecticut Civil Service Commission; Hon. Lewis H. Van Dusen, civil service commissioner from Philadelphia; and Hon.

Henry Van Kleeck, former President of the Colorado State Civil Service Commission and a member of the Council of the League. This joint committee reached no final agreement with reference to a provision requiring the appointment of civil service commissioners after a competitive examination. The representatives of the League opposed this section of the draft, arguing that civil service commissioners should be appointed by the governor for overlapping terms of six years each, subject to removal after a hearing, with an opportunity to make an explanation of any charges which the governor might file. The committee of the Assembly wishing to present a report at the Pueblo meeting held last June, decided to recommend a provision establishing a system of competitive examinations for civil service commissioners. Mr. Van Dusen did not concur in the action of his colleagues on the Assembly's committee and filed a minority report at the meeting of the convention. A thorough discussion of the majority and minority reports was had at the Pueblo meeting, with the result that the Assembly failed to approve either report, postponing action for one year to allow further consideration of this important question. The purposes of the committee of the Assembly and the League are identical in desiring to provide an effective civil service commission with jurisdiction over the whole problem of employment, not subject to the political influence of the chief executive. It is with the hope that this paper may result in securing constructive suggestions for consideration by the Assembly of Civil Service Commissions and the League that I review briefly the arguments presented by the advocates of competitive examinations for civil service commissioners and the argument against this proposal made in the Assembly's minority report.

The report of the majority of the committee stated that the draft of a civil service law was based upon four principles of the merit system, namely, that government should be controlled by the people; that public offices and places which are not directly charged with the conduct of general political policies belong of right to all of the people; that the civil service shall be efficient; and that the



government in its capacity as an employer should be just and fair to its own employees. To render these four principles of the merit system effective, it is obvious that the body charged with their administration, usually known as a civil service commission, must be composed of experts in the science of employment, that for the purpose of the merit system they must have jurisdiction over the whole subject of employment from the point where it is proposed to create a position through to the point where the position is abolished, and the employee in it pensioned, removed or laid off; that the civil service commission should be responsible to the people and removable by any citizen for causes analogous to those which may result in the removal of any other civil servant and that the commission should not be controlled by or responsible to any political officer. In carrying out these principles in the draft of a civil service law the majority report provided for the appointment of civil service commissions, state and municipal, through competitive examinations. The bill provided that the governor of a state (adopting the law) should appoint "(a) a person who has served within the United States continuously for two or more years as a member, secretary or chief examiner of a federal, state, county or municipal civil service commission; (b) a person who has been engaged continuously for two or more years in selecting trained employees for positions involving professional or technical skill; and (c) a person who has served for two or more years as a judge of a court of record within the state; said three persons aforesaid to constitute a board of special examiners to conduct an examination under the provisions of this act for the purpose of preparing a list of the names, in the order of their relative excellence, of persons eligible to appointment to the office of state civil service commissioner." It provided that the governor should appoint a civil service commission from the resultant eligible list and that the commission so appointed should furnish eligible lists for civil service commissioners for municipalities throughout the state. Removal provisions for civil service commissioners in the report of the majority required that no civil service commissioner should be re-

moved "except for malfeasance in office, gross neglect of duty or palpable incompetence upon written charges with specifications filed by a citizen of the state and after an opportunity to be heard in his own defense before a trial board consisting of (1) two persons each holding the office of a judge of *visi prius* court in and for the county in which such commissioner resides; or if there be more than two judges, then the two senior in age; or, if there be but one, then the person holding said office in a judicial district comprising said county; or if there be more than one such judge, the one senior in age shall serve; and (2) a third person selected by the two judges aforesaid to act with them as a member of such trial board." It was provided that the decision of this trial board should be final.

I shall not elaborate upon these arguments, as I sincerely hope that Mr. Robert Catherwood will be good enough to participate in the discussion of this paper and make additional points, which I must of necessity omit.

The Assembly's minority report stated:

"A model civil service law should not be confused with an ideal civil service law. The fundamental essentials of a model law are that it should be adaptable, acceptable, and practicable. These requisites do not necessarily pertain to an ideal law. I understand it to be the function of this committee to draft a model civil service law and not an ideal civil service law. The model civil service law must be adaptable in that it must meet the needs of the time and fit readily into the ordinary scheme of government; it must be acceptable in that the legislative bodies or the electorate to whom it is presented for adoption must understand its principles, believe in them and seek to carry them out; it must be practicable in that its features must be capable of administration by ordinary individuals without upsetting the usual processes of government, guaranteeing to employees in the public service due consideration, guaranteeing to citizens equal rights in public employment, and at the same time giving appointing officers their full measure of consideration. No law can meet these requisites which assumes that all virtue is vested in the men who might compose the civil

service commission, or which assumes that members of civil service commissions will be devotees of a great principle and that all appointing officers will be opponents of that principle.

"The majority report lays down as its first cardinal principle 'that government should be controlled by the people,' and yet one distinctive feature of that report is that it places the civil service commission beyond the reach of the people or of any official so far as its administrative policies, methods of work, and results obtained are concerned. The commission is placed absolutely beyond reach and can do anything it pleases so long as it does not give cause for a suit at law. While it is true the law submitted in the majority report provides for the removal of commissioners after court trials for malfeasance in office, gross neglect of duty or palpable incompetence, nevertheless, I submit that such a method of removal would in no wise prevent the carrying out of administrative policies on the part of a commission, which policies might be diametrically opposed to the will of the people. For example, this method of removal affords no check upon the undue laxity or rigidity of a commission's examinations or upon the equity or inequity of its policy for fixing salaries, the soundness or farcical nature of its grading the service, the equitable or inequitable nature of its decisions in connection with removals, or, in fact, any of its administrative methods. The majority report embodies a law of interesting but undesirable aspirations rather than model provisions. It is a law overwhelmed with details rather than clear in fundamentals. It combines selection, appointment and removal of employees in one man or a body of three men who cannot be reached except for serious and proved charges. The spoils system combined these functions in one man or group of men, but they could be at least periodically reached. This combination paves the way for the civil service commissioner to acquire all the bad habits of a spoilsman with none of his responsiveness to public opinion. It presumes, which cannot be fairly presumed, that proper motives will always impel civil service commissioners. It creates a self-perpetuating body

controlling one of the important branches of government, which is an unheard-of thing in our country. It completely eliminates the appointing power as a controlling factor over his employees, and, in fact, he cannot impose the slightest punishment or corrective any more than any other citizen or taxpayer. The commission is given legislative powers, as in fixing salaries and grades; judicial powers, as in the matter of removals and penalizing of employees, and, in addition thereto, its general executive functions. It creates an unwarranted difference between the appointment and removal of civil service commissioners and the heads of other great administrative departments. It assumes that a mayor for example, is competent to appoint a man to conserve the health and sanitation of the community, but is incompetent to appoint men to examine applicants for public employment."

I do not presume to present a plan which will meet the arguments of the majority or the minority reports, but I venture to offer a suggestion merely for the purpose of soliciting constructive proposals.

My observation of the organization of civil service commissions has been limited to three years, during which time I have studied various statutes relating to the civil service and the administration under these statutes. In the larger services I have noticed that civil service commissions are often composed of four commissioners, one of whom is without power. The secretary is invariably the expert on the law and the rules. Upon a change of administration, if fortunate enough to be retained, he must patiently instruct the new appointees, who need months of labor to give them the proper mastery of the infinite details of the commission's work. This criticism applies with greater force to those jurisdictions where the commissioners serve at the will of the executive.

The general experience of governmental commissions and boards is that where the work does not require the entire time of all the members, it is more effectively carried on if one member is placed in general charge. In the service of the dependencies the League has approved an amendment to the organic act which places the bureaus

of civil service in charge of a director, with two colleagues sitting with him to perform the quasi-judicial functions. It seems to me that this principle may be worthy of consideration by the committees of the League and the Assembly. Whether we call the permanent expert a director, a secretary, the business manager or the chief of the bureau is not important. Query: Is it sound in principle to provide for a commission of three members, one of whom shall be the permanent member appointed and removed under civil service rules, the other two appointed for overlapping terms, only one of these to be changed with each change in the executive? Is it not possible that such a system would substitute expert knowledge where in the past such knowledge has been woefully lacking? Would not the provision for the free appointment by the executive of the other two commissioners—persons of administrative ability and business knowledge—allow the civil service commission to be reached by the public? These are submitted merely as questions for discussion. I do not assume to answer them.

## Discussion of Mr. Keyes' Paper on Some Essential Features of a Model Civil Service Law

**Hon. Robert Catherwood:**

Miss Addams said last evening that many people love to "approach the caliph," because humanity often cares less for justice and efficiency than it does for a show of personal sympathy and an opportunity to have its grievances personally heard and passed upon by one high in authority.

That state of the human mind, which no doubt Miss Addams correctly gauges, is the structure upon which the tyrant, the man on horse-back and the boss support themselves. Although we have heard others proclaim that only a good despot could dig a Panama canal, lead a nation to victory or a city to righteousness, yet I think we value liberty, democracy and freedom too much to adopt the good despot as an American institution. And yet, disguised as a "responsible executive" or "a good man in office," he is continually asking for almost unlimited powers, the sacrifice of permanent systems, and the uprooting of beneficial and wise administrative institutions which only time can grow. In thinking of elective officers and their representative and responsible character, there is danger of overemphasis, and that governmental systems may grow only to the standard of the caliph's foot.

The people are the legitimate rulers in this country, and an officer is responsible only so far as the people desire that he should be responsible. Theirs is the highest responsibility, and they divide it and delegate it in their own interests and for the purposes of their own control and well-being. The voters must control the elective officials, and they must control the civil service. To control elective officials, voters insist upon the short ballot, reasonably short terms and divided powers, with fixed responsibility. To control the administrative ser-

vice, or the classified civil service, the voters insist that there must be a place where they can go with complaints of maladministration or inefficiency, and without fuss or feathers obtain effective results. The public should be just as keen to compel the civil servant to be mindful of public interests and sentiments as to compel the elective policy-making officer to be similarly mindful. The methods used to obtain this result differ, but the result itself is the same with the elective officer and the officer in the classified civil service.

In the civil service of Chicago, I should say that practically the public has far more control over the classified civil service than it has over the elective officers. The civil service is much more mindful of the public interests and more amenable to public sentiment than the political service, which is mostly elective. The reason for that is plain.

We have a bureau of public complaints in the civil service office; efficiency examiners, with definite standards of employment and ample powers and facilities for locating the causes of citizen complaints; and, lastly, a trial board, with the power of removal and a most useful thirst for information on the causes of inefficiency.

On the other hand, we have a long ballot, with 146 elective officers in each elective cycle to select from among 584 candidates. Personally, I have never been able to cast a wholly intelligent ballot in my life, or to form a judgment, or even find out about the qualifications for office of more than a fraction of the candidates. The Municipal Voters' League, the Legislative Voters' League and the County Union—civic organizations specializing in information concerning candidates—have never been able to cover the entire field. How do you expect me to cover it? The public has a sense of diffused and dissipated power of control, which materially dampens its ardor for "responsible elective officials," heaven-born "representatives of the people" and "good men in office," to restrain whom it would be a sin. Perhaps we shall feel differently when we get the short ballot and cover the department heads and a few others into the classified civil service.

If we take President Taft's proposal, that general policy-making officers only should be elected and other officers selected and kept under the merit and efficiency system, we have laid securely the foundations of democratic control and expert administration.

We may then consider some important details, chief of which is how to make the elective officers responsible for their directions to the administrative service. I think we shall have to provide that such directions must be open, public and in a form so that they can be traced, and that means that a secret, private or irresponsible direction, contrary to law, shall not protect a civil service officer who obeys it.

Every day in the year the elective officer has somebody in his office who wants a favor or an exception made in the administration of a law, or rule, or ordinance. To refuse a special favor is almost certain to make an enemy in politics. To grant it to an influential applicant or prospective offender may or may not make a friend, but it tends to produce a very useful political asset—the reputation of being a kindly and pliable man, who can and does look after his friends. Thus it often happens that an elective officer makes his reputation for law enforcement upon the obscure and inactive citizen, and lets the influential and politically active citizen do as he pleases.

The fact is that administrative work in the hands of policy-making officers tends to corrupt the community. Such directions as are necessary to keep the experts in touch with the policies of the elective officer must be open, formal and public.

Mr. Keyes spoke of civil service commissioners in the classified civil service.

The civil service commission has nothing to do with policy-making, nothing to do with politics. Its task is to choose according to standards of employment, from all comers, those having merit and fitness in the vocation or grade where men are wanted; to keep such appointees efficient by applying the well-known principles of scientific employment. Those duties are administrative duties pure and simple.



In Illinois we have made some progress in the use of expert administrators on the civil service board, holding them there through public opinion. But the tenure is precarious, because it is not established by law. Mr. Foulke, who spoke so convincingly last night on the value of the expert administrators in government, surely will not deny the merit system an expert civil service commission!

I know of no better way of getting experts than through the competitive examination. It does do the work. It is a means to an end—nobody has yet found better means.

In the last twenty years we have had in this community seventy-five civil service commissioners, and only five of them when they were appointed could by any stretch of the imagination be called experts in civil service employment. Through hard knocks and a practical education in office, at the expense of the tax-payer, many of them did finally learn to navigate a bit. But obviously that is a very expensive and stupid way to get experts.

Again, on going over this list we find that when a change in the party in power took place only four out of the seventy-five were continued in office. We even threw away the men educated by practical and costly experience.

On picking up the morning newspaper the day after election, we see the civil service commissionerships listed in the party plumb basket, among the other spoils of office.

Again, we have the unwritten law that the chief executive may select the president of the civil service commission, but that the party's central committee must select the other two members of the commission.

Again, the civil service law relies upon the bi-partisan absurdity. One of the civil service commissioners must be a member of the minority party. Do you suppose that the chief executive or the party's central committee of the majority party will appoint any one other than a friendly Indian? They never do, in fact. I have made inquiry, and I can find no commissioner who recalls a partisan line-up on a civil service commission. The truth

is, there are no party questions to decide, and it doesn't make the slightest difference whether the commissioners are all Democrats or all Republicans, or part one and part the other. The bi-partisan safeguard is a pious fraud.

It seems to me anomalous and wrong that this great non-political system which we call the merit system should be administered at the top by a politician. I was a political appointee to a civil service commissionership myself and I assure you that I felt keenly the inconsistency of the situation. I think every commissioner would feel it more satisfactory if he won his office in a civil service examination and his outlook would be clearer and his opportunity greater, than when trammelled by unfortunate incidents of political appointment.

I would like to read, if you will allow me, a short statement which I noticed got up by the President of the Reform Association. I will say that since 1910 the Civil Service Reform Association of Chicago has favored before the Legislature placing civil service commissionerships in the competitive civil service. Some difficulty was met as to the question of how they should be examined, but it was finally proposed that the Governor should appoint an examining board to work subject to the penal sections of the act, and that this examining board should consist of certain persons, their qualifications being mentioned in the act, namely, that they must have served as a member of the commission or secretary or chief examiner of some civil service commission in some other jurisdiction, or that they must have had certain employment experience; and I believe the third one was to have had some experience in a legal way, some legal experience. I have forgotten the precise provisions. The removal of civil service commissioners was to be approximated very closely to the removal of employees in classified civil service. It was provided that any citizen could file charges in court against a civil service commissioner who was inefficient or incompetent and if the charges were sustained the commissioner was to be removed.

"In my view," writes the President, "civil service commissionerships should themselves be classified and

should be filled only after competitive test, the candidate standing highest on the list to be certified and appointed. For this, as in other high administrative offices, not involving party policies, the main reasons are, first, to take commissionerships out of politics; second, to insure the selection of competent commissioners; and, third, to give commissioners tenure during good behavior like other officers in the classified service having to do with administrative policies.

"It is anomalous and indefensible to allow the highest civil service office itself to be and remain a spoils position. To urge young men and young women to vote and work to eliminate politics from all administrative public service—themselves to enter into that service and to stay there in reliance only upon their merit and efficiency—and in the same breath to state that the very highest office of all the administrative service, is to be given out by the chief executive, is to strike at the very heart of our work. The evil effects of free appointment of civil service commissioners are similar to the evil effects of other free appointments to administrative offices, except that they are intensified by the importance of the office and made conspicuous by the failure to apply the merit test to the very men who apply it to public servants generally.

"To say that the responsibility of a chief executive will be lost, if free appointment and removal be taken away, is precisely what has been said about every position in the competitive service. A seat at the civil service board is not a political policy making position.

**General Frederick C. Winkler:**

The discussions this afternoon have led us to a very important subject—that is, the power which should be given to the Commissioner over the classified service in the office. Now, upon this subject, as I understand it, the committee appointed to consider the essential features of a model civil service law differ. Mr. Catherwood represented one side of the question, Mr. Van Dusen the other. I do not propose to enter upon a discussion of the question. I beg to say, however, that I have inclined very largely to Mr. Van Dusen's views.

All I have to say is that when we come to that question of deciding between a division of the two powers, the appointive power, which is called the political power, and the commission, which is the guardian of independence, we will say, we will have to draw the line very carefully, and the subject requires a very careful consideration, and all I wish to emphasize in this connection is that when we come to decide the question we have got to proceed with very great care.

Undoubtedly the commission would be given ample power to enforce its duties, so far as to exclude political influences and politics in the proper sense of the word from civil service. On the other hand, we are bound to guard equally against aggrandizing the civil service commission into an overpowering, overshadowing government. It is only to call attention to the importance of the question, and the care that must be exercised in solving it, that I wish to make these remarks.

**Mr. Arthur M. Swanson of Philadelphia:**

The suggestion that I was to present Mr. Van Dusen's side of the case has come upon me with some surprise. I want it distinctly understood at the outset that whatever I have to say will be my own views of these questions, absolutely. I hold no brief for Mr. Van Dusen and would not attempt to present his side of a case.

Mr. Keyes, as he expressed it at the outset, took us through the daylight and then tarried awhile in the twilight and by a process of elimination that leaves Mr. Catherwood and the rest of us only the darkness.

Now, this subject of the proper method of selection and appointment of civil service commissioners is a paramount issue. While Mr. Catherwood was speaking I rather wanted to ask him a question or two. Cook County, in my judgment, was most fortunate in having the services of Mr. Catherwood and men of his type as civil service commissioners. I think that would be universally agreed. I do not believe it will be called idle flattery for me to say so, but what I want to know is that if the Cook County civil service law required competitive examinations for civil service commissioners, would we

get Mr. Catherwood and men of his type—in other words, would they come up and take the examinations that are given for commissioners?

That is one point that has always troubled me. I do not assume to answer it; I simply would like to know, not in Mr. Catherwood's case in particular, but in general, if such type of men would come forward and take the examination. Now, let us just take it from another angle.

We will assume that a civil service law is being adopted by the state of Missouri. I am from Missouri and more familiar with that state. Suppose a new law is being adopted down there and it provides that civil service commissioners shall be appointed by competitive examination and that, as the model law proposes, the first examination held should be that for the commissioner. I think we can fairly predict the results.

We will suppose that a democratic administration is in control of the capital and an examination is ordered for civil service commissioner. Do you imagine, with a new law and many people suspicious of it, as they always are of new civil service laws, do you suppose that competent men are going up to the capital and take those examinations for commissioner, given, as they know, by a democratic administration, no matter how nearly non-partisan and high class the board you select is? I say that for a time a civil service law does not have the confidence of the public; and you will find, unless I am mistaken, that your first examination given, mind you, for the most important position in the civil service system, will be more or less a failure and will go by default.

I merely put that up as my own idea. Possibly I am wrong, but let me cite you some illustrations of that: I happened to be an employee of the Kansas City board of civil service at its inception. I was there before they gave any examination. Everybody was anxious for action, of course; the board ordered its first four examinations. They ordered those examinations for the four highest positions under the classified service: the superintendent of street cleaning, superintendent of street

repair, superintendent of the workhouse—I think there were four of them. Now, the administration at that time was a Republican administration. What happened when those examinations were held? People apparently did not have confidence either in the law or in the methods that would be used. Competition amounted to practically nothing in those four cases, and I have always felt that these four positions went very largely by default.

You might say yes, but the examiners ought to have failed the applicants if they were not competent, but, mind you, we cannot rise to an occasion like that over night. We have not any standards for the work, and we are afraid to fail everybody that turns up. Now, that is the actual fact. We will say that in one or two of those four cases there competent men were secured, but the point is that the people of Kansas City did not compete for those jobs, and if they had been held a year later I am sure the competition would have been enormously increased. Now, those are what appear to me to be practical objections to competitive examinations for civil service commissioners.

Another thing that occurred to me while Mr. Catherwood was making that most excellent exposition of the subject: he laid great stress upon the proposition that certain offices are political offices and others are not. I agree absolutely that the administrative offices of civil service are in no ways political offices and should have nothing to do with politics, but how on earth are you going to prevent men who get those jobs from playing politics if they desire to do so? To play politics is one of the most natural traits of the free-born American citizen. I can well imagine a condition where you get three men on a civil service board through examinations. Suppose they are all of one political faith. How are you going to assure yourself that those three men are not going to band themselves together and play politics to the limit?

Do you want to answer me by saying that the civil service commissioners in this country have never played politics? Do you want to say that there are not civil service commissions in the country today that are playing

politics? You cannot guarantee against political activity on the part of civil service commissioners or anybody else after they get into public office.

On the point of independence of commissioners, there is no one here today that will deny that they ought to be more independent of executive authority than they are today. I was glad to hear Mr. Keyes bring out the proposition that the rules of the commission, for example, ought not to be subject to executive approval. What happens if they are subject to executive approval? A rule is proposed. What does the executive do with it? He sends it around to all the bureau chiefs and directors. If they object the executive is very likely to feel compelled to reject the rule, and the commission does not get through the rule that it ought to have. Civil service commissioners must be more independent. As it stands, how simple a thing it is for the executive authority to get rid of them. I have been an eye witness to some excellent demonstrations of the consummate skill and ease with which an executive can rid himself of civil service commissioners. I was present once when the mayor said, "Gentlemen, you are obstructing my administration with some of your plans; I would like you to change them." The commissioners said, "No, Mr. Mayor; that may be, but we are doing exactly as we think we ought to do, and we do not feel that conscientiously we could change our methods." "I am very sorry, gentlemen, but since you feel that way, and you are embarrassing my administration, I think you ought to resign." "No, Mr. Mayor," they said. "we do not feel that we have done anything that we should not have done, and we do not feel that there is any necessity for our resigning." "Very well. It grieves me and pains me sorely, but I will be obliged to discharge you. Good afternoon."

Now I have seen that done, and done within a very few minutes so that there is no use denying that the independence of civil service commissioners is the paramount thing today. And our enlargement of the system and our making it efficient depends in the first instance upon that. My hope is that a public hearing, with time

intervening and public inspection of those charges, would have a great deal to do with it.

Now, going back to some other things in the civil service law, I would like to call the attention of the League to what seems to me to be one of the neglected phases of the work. I do not know that it ought to be compelled in the law; possibly it ought; I think there is entirely too little publicity regarding the records of civil service commissions. I have not heard the subject mentioned, and yet it seems to me to be one of the important things. I want to say that in Philadelphia the commission a couple of years ago adopted a regulation that all examination papers, with the marks of the examiners thereon, were open for public inspection, so that a citizen comes up to the office of the commission today having in mind perhaps that there has been some crooked work with respect to some examination which possibly he did not even take. He asks to see all the papers that were submitted to the commission, lays them out on the table and he is allowed to go through them at his leisure. We feel that that is a very good thing to do. For instance, we have a plan; we always fall back upon that proposition, that you may look through all the papers that you wish to with the marks of the examiners thereon. As a matter of fact, it does not occasion any labor on the part of the commission, because when men find out that they can see those things and that there is nothing hidden from their view, you will find that they will not bother you particularly about it. That is one thing.

Another thing is that our commission publishes all of its examination questions. We issued a book containing all the questions in 1912. We have now in press a book containing all the questions asked during the year 1913. Those were printed in book form and distributed. We feel that one of the things that has hindered the progress of civil service reform in this country is the fact that the people have always had an idea that there is something a little bit shady about the methods which are used. I remember a very well-known man in Philadelphia came up to the office one day and was very much astonished to think that he could see the papers in any



examination he might ask for. He told me that a few years ago he was getting up some sort of papers or records for the Historical Society in Philadelphia, and that the only office, from that of the head janitor in the basement to that of the mayor, that he could not break into with a jimmy was that of the civil service commission. Now, gentlemen, that is altogether an improper attitude, a very wrong one.

I would like to leave that suggestion with you. As to other essentials of model civil service laws, it strikes me that possibly this suggestion might be worth while: there ought to be some clause in it more or less mandatory with respect to provisions against starvation of civil service commissioners, as has been most truly the case in years gone by. Possibly a civil service law ought to contain some sort of mandatory provisions in respect to that. By the way, there is a proposition in that connection that I never could understand; perhaps some gentleman here more versed in the matter than I am can answer it. Why is it that men are expected to serve as civil service commissioners and take part of their pay in the glory of having served a great cause and part of it in cash—usually a small part of it in cash—while heads of other bureaus, engineering bureaus, health bureaus, are paid, in so far as the municipality can stand it and sometimes a little more, all of their compensation in cash? It is one of those things that I have never been able to understand, and possibly either by the further education of the public or in the law provision ought to be made whereby salaries for civil service commissioners comparable with the best salaries paid for the best directors and bureau chiefs in the service would be allowed. It seems to me that the dignity of the office of civil service commissioner would be enhanced considerably thereby. I know a great city where the directors of public works and of public health receive \$10,000 a year and the civil service commissioner gets \$3,000 per year. Now, ladies and gentlemen, I hold no brief for civil service commissioners, but does not the importance of the department and the dignity of the job demand recognition? Put it in the terms of cold cash, if you please.

I do not remember that Mr. Keyes brought it out particularly—perhaps he did—that the model civil service law ought to specify in its own terms the positions that are going to be exempted and never leave it optional with the commission. I have found one of the most frequent causes of friction between the commission and the executive and the commission and the department heads has been that of the question of exemption, and not all civil service commissioners have the backbone to stand the pressure that is brought to bear on them in that regard. I think the law ought to specify, so that they will know what action to take when important questions come up.

As to trials for removals, I am almost undecided. Mr. Catherwood made a very wise remark during the discussion this morning when he said that a man's views depend very largely, after all, upon the environment that he has been under—the laws that he has worked under. I have never worked where a trial board was the order, but with the present method of appointment of commissioners this question arises in my mind: Would a civil service commission, acting as a trial board and appointed by the same authority as appoints the other department heads, tend to give absolute justice, or would not the tendency be to rather work together with department heads through force of necessity perhaps? I wonder if you get the independent trial that you ought to get where your commissioners are appointed and perhaps dischargeable by the same authority that appoints the executives.

ORGANIZATION  
OF THE  
National Civil Service Reform League.

---

CONSTITUTION  
[REVISED DECEMBER 13, 1900.]

ARTICLE I.

The name of this organization shall be the National Civil Service Reform League.

ARTICLE II.

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of civil service reform in the United States.

ARTICLE III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such Association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such Association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other society or organization to take part in any designated meeting of the League.

The Council may also admit, in such manner as it may prescribe, associate and sustaining members of the League. The annual dues for associate members shall

be five dollars and for sustaining members twenty-five dollars. Associate and sustaining members shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

#### ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any Association shall demand a vote by Associations, in which case each Association represented shall be entitled to one vote, which vote shall be cast by the delegates from such Association present at such meeting or by a majority of them.

#### ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

#### ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be chosen, and may be removed by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be *ex-officio* members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice-President may be filled by the Council until the annual meeting next following.

#### ARTICLE VII.

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

#### ARTICLE VIII.

There shall be an annual meeting of the League at such time in each year, and at such place as the Council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

#### ARTICLE IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.

## BY-LAWS.

[ADOPTED BY THE COUNCIL JANUARY 18, 1901.]

§ 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.

§ 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.

§ 3. The Council shall elect its Chairman and the Secretary, Treasurer and Assistant Secretary of the League, at its meeting next succeeding each annual meeting of the League.

§ 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made, during the year.

§ 5. The order of business at each meeting of the Council shall be:

1. The reading and correction of the minutes of the last meeting.

And thereafter, unless otherwise ordered, as follows:

2. The admission of new Associations.
3. Statement of the Treasurer.
4. Report from the office of the Secretary.
5. Reports of Standing Committees.

6. Reports of Special Committees.

7. Miscellaneous business.

§ 6. There shall be the following Standing Committees to be annually appointed as the Council shall direct:

(1) A Committee on Finance, to consist of not less than nine members;

(2) A Committee on Publication, to consist of at least three members; and, *ex-officio*, the Secretary and the President of the League; and

(3) A Committee on Law, to consist of at least four members, and, *ex-officio*, the Chairman of the Council.

These Committees shall discharge the duties appropriate to their respective titles; vacancies occurring in any one of them may be filled by the Chairman of the Council.

§ 7. The following Special Committees shall be appointed as the Council shall direct, and discharged at the conclusion of the annual meeting of the League, next following:

(1) A Committee on Nominations, to consist of six members and, *ex-officio*, the Chairman of the Council.

(2) A Committee on Resolutions, to consist of six members, and, *ex-officio*, the President of the League.

These two Committees shall submit their reports at a meeting of the Council immediately preceding the annual meeting of the League.

(3) A Committee on Report and Programme, to consist of two members, and, *ex-officio*, the President of the League, the Chairman of the Council and the Secretary; a part of whose duty shall be to prepare, for consideration by the Council, the draft of the annual report required by Article VI of the Constitution.

§ 8. These By-Laws may be amended at any meeting of the Council by a unanimous vote of the members present, or by the vote of a majority of such members, provided that, in the latter event, notice of the contemplated amendment shall have been given in the call of the meeting.







## **PUBLICATIONS OF THE NEW YORK CIVIL SERVICE REFORM ASSOCIATION**

---

- Annual Reports of the New York Civil Service Reform Association, 1895 to 1915, inclusive.**  
**Term and Tenure of Office.** By Dorman B. Eaton. (1882.)  
**Daniel Webster and the Spoils System.** An extract from Senator Bayard's oration at Dartmouth College, June, 1882.  
**Address of Hon. Carl Schurz** in opposition to the bill to amend the New York Civil Service Laws, commonly known as the "Black Act." May 6, 1897.  
**Retirement Legislation in New York.** Report of a Special Committee. (1911.)
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### **MISCELLANEOUS.**

- The Organization of the Modern Consular Service.** By George McAneny. (Reprinted, by permission, from the Century Magazine, for February, 1899.)  
**Civil Service in Great Britain.** By Dorman B. Eaton. Published by Harper & Brothers. (1881.)  
**The Relation of Civil Service Reform to Municipal Reform.** By Carl Schurz. Published by the National Municipal League.  
**The Merit System in Appointment to Office.** Report of the Civil Service Committee of the Civic League of the Board of Freeholders of Saint Louis. (1909.)
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## The National Civil Service Reform League

HELD AT

PHILADELPHIA, PA., DEC. 2, 1915

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

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**An Open Letter to Hon. C. H. Grosvenor,** in reply to recent attacks on the Civil Service Law and Rules. By George McAneny. (1897.)

**The Need and Best Means for Providing a Competent and Stable Civil Service for Our New Dependencies.** By Dorman B. Eaton. (1898.)

**The Choice of Correct Methods in the Administration of American Dependencies.** By Elliot H. Goodwin. (1900.)

**Four Reports.** Prepared by the Investigating Committee of the National Civil Service Reform League. (1901.)

**Superannuation in the Civil Service.** Reports of Special Committees. (1901, 1906, 1907, 1909, 1910 and 1911.)

**Withdrawals from the Civil Service.** Report of a Special Committee of the League. (1906.)

**Governor Hughes on Civil Service Reform.** Address of Governor Charles E. Hughes, of New York, at the Annual Meeting of the League. (1907.)

**The Business Value of Civil Service Reform.** (Third Revised Edition.) (1913.)

**Activity of Federal Office Holders in Politics.** Report of a Special Committee of the League. (1909.)

**The Fundamental Reform.** By President Charles W. Eliot (Address of 1909.)

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**The Relation of Organized Labor to Civil Service Reform.** By Hon. Samuel B. Donnelly. (1911.)

**Civil Service Reform and Popular Government.** By President Charles W. Eliot. (Address of 1911.)

**Draft of a Civil Service Law for Cities.** Prepared by a Special Committee of the League. (1912.)

**The Merit System and the New Democratic Party.** By President Charles W. Eliot. (Address of 1912.)

**Civil Service Reform and the First Nine Months of Democratic Control in both Congress and the Administration.** March—December, 1913. By President Charles W. Eliot.

**The Merit System in Road Management.** By Logan W. Page. (1913.)

**The Choice of Municipal Experts Through Competitive Examinations in Philadelphia.** By Hon. Lewis H. Van Dusen. (1913.)

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**Can the Civil Service of a Democracy be Made Efficient.** By Charles W. Eliot. (1915)

**Democracy and Efficiency.** By Richard Henry Dana. (Address of

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# ANNUAL MEETING OF THE NATIONAL CIVIL SERVICE REFORM LEAGUE.

DECEMBER 2, 1915.

**P**URSUANT to a call duly issued, the Thirty-fifth Annual Meeting of the National Civil Service Reform League was held in Philadelphia, Pa., December 2, 1915. The following delegates from Civil Service Reform Associations and Auxiliaries were in attendance during the several sessions:

**BUFFALO:** Ansley Wilcox, Henry W. Sprague.

**CHICAGO AND ILLINOIS:** Samuel Dauchy, William B. Hale.

**CONNECTICUT:** Henry W. Farnam, Charles G. Morris.

**INDIANA:** William Dudley Foulke.

**MARYLAND:** Charles J. Bonaparte, James R. Phillips, Summerfield Baldwin.

**MARYLAND AUXILIARY:** Mrs. G. Huntington Williams, Mrs. T. Harrison Garrett, Mrs. H. N. Matthews, Mrs. Edward C. Robinson, Mrs. Albert Sioussat.

**MASSACHUSETTS:** Richard Henry Dana, Charles W. Eliot, Howard R. Guild, William V. Kellen, Samuel Y. Nash.

**MASSACHUSETTS AUXILIARY:** Miss Marian C. Nichols,

**NEW YORK:** George R. Bishop, A. S. Frissell, Henry W. Hardon, George T. Keyes, Harry W. Marsh, Samuel H. Ordway, Nelson S. Spencer, Ellery C. Stowell, Everett P. Wheeler.

**NEW YORK AUXILIARY:** Mrs. St. Clair McKelway, Mrs. Everett P. Wheeler.

**CINCINNATI:** Charles B. Wilby.

**NEW JERSEY:** J. Frank Cornelius, Everett Colby, Gardner Colby.

**PENNSYLVANIA:** Ralph J. Baker, Charles Beck, George Burnham, Jr.; J. Benjamin Dimmick, Lewis

Emery, Jr.; Albert S. Faught, Cyrus D. Foss, Jr.; James G. Francis, Vivian Frank Gable, T. Walter Gilkyson, Emil Guenther, Clarence L. Harper, Oscar B. Hawes, Arthur E. Hutchinson, Robert D. Jenks, Joseph F. Johnson, W. W. Montgomery, Jr.; Henry C. Niles, Mrs. Imogen B. Oakley, H. S. Richardson, Charles Richardson, Stanley W. Root, Haseltine Smith, Robert J. Sterrett, Ira W. Stratton, William J. Trembath, Fullerton L. Waldo, Roy Smith Wallace, T. Henry Walnut, A. Leo Weil, Herbert Welsh, R. Francis Wood, Clinton Rogers Woodruff.

WISCONSIN: John A. Butler, Glenway Maxon.

WASHINGTON: John Joy Edson, Charles Noble Gregory.

In response to invitations issued by the League to municipal reform associations and other bodies interested in the reform of the civil service, delegates were present as follows:

BUFFALO CHAMBER OF COMMERCE: Ansley Wilcox.

CANADIAN CIVIL SERVICE COMMISSION: Colonel M. G. LaRochelle, Commissioner; William Foran, Secretary.

UNITED STATES CIVIL SERVICE COMMISSION: Charles M. Galloway, Commissioner; Herman W. Craven, Commissioner; Stewart Wilson, District Secretary.

CONNECTICUT CIVIL SERVICE COMMISSION: Charles G. Morris, President; Edward Wright, Secretary.

COOK COUNTY CIVIL SERVICE COMMISSION: Ralph L. Peck, Commissioner.

NEW JERSEY CIVIL SERVICE COMMISSION: Edward H. Wright, Jr., Commissioner; Alexander R. Fordyce, Commissioner; Gardner Colby, Secretary.

NEW YORK STATE CIVIL SERVICE COMMISSION: Samuel H. Ordway, President; William Gorham Rice, Commissioner; Harold N. Saxton, Chief Examiner.

NEW YORK CITY CIVIL SERVICE COMMISSION: Henry Moskowitz, President; Miss May B. Upshaw, Assistant Chief Examiner; Burns Gillam, Examiner.

PHILADELPHIA CIVIL SERVICE COMMISSION: Frank M. Riter, President; Peter Bolger, Secretary; Lewis H.

Van Dusen, Commissioner, Wilson A. Deiley, Chief Examiner.

PHILADELPHIA CHAMBER OF COMMERCE: Clinton Rogers Woodruff.

PHILADELPHIA BUREAU OF MUNICIPAL RESEARCH: Robert E. Tracy and William C. Beyer.

CIVIC CLUB OF PHILADELPHIA: Mrs. Imogen B. Oakley, Miss Ella Robb, Mrs. Thomas S. Kirkbride and Mrs. Edward W. Biddle.

NEW CENTURY CLUB: Mrs. Joseph Hill Brinton and Miss Burnham.

NATIONAL PETROLEUM ASSOCIATION: Edward M. Lyons.

NATIONAL ASSOCIATION OF PIANO MERCHANTS: Florence J. Heppe.

INDIAN RIGHTS ASSOCIATION: Herbert Welsh.

LEAGUE OF VIRGINIA MUNICIPALITIES: Lieutenant-Commander C. P. Shaw.

MINNEAPOLIS CIVIC AND COMMERCE ASSOCIATION: Howard Strong.

Other persons attending the various sessions of the League were Joseph H. Johnson, Gertrude W. Pennington, Elizabeth McCartney, A. J. Arkin, C. G. Hoag, Nicholas I. Hourwick and Ralph B. Clayberger.

## MEETINGS OF THE LEAGUE.

THE headquarters of the League during the meeting were at the Hotel Adelphia, corner of Thirteenth and Chestnut Streets, Philadelphia, and all sessions were held in the Hotel.

### FIRST SESSION—10:30 A. M.

THE League convened at 10:30 a. m., President Dana presiding.

An address of welcome was given by Hon. Rudolph Blankenburg, Mayor of Philadelphia. The Mayor's remarks were, in part, as follows:

On behalf of the City of Philadelphia, I extend to you a most hearty and sincere welcome. It is unnecessary for me to extol the virtues of our city or to refer to its unique position among all the municipalities of our land. We are naturally proud of the "City of Brotherly Love" as the cradle of the Republic. Philadelphia not only gave birth to the Declaration of Independence, but here also was framed the Constitution of our country, a document that stands today as a bulwark of our liberties, as it has done from the beginning. It is a monument to the wisdom of the patriotic fathers of our grand union that will forever endure.

We have made wonderful progress in many ways since the foundation of our government, and one of the most momentous, it seems to me, is that accomplished by the National Civil Service Reform League during the past thirty-five years. The cry: "To the victors belong the spoils" has been largely eliminated, for the principles of the merit system have taken deep root and have been followed to a greater extent than ever before.

When I had the honor of addressing the League four years ago, shortly after my induction into office, I said, among other things:

"I have preached for nearly thirty years—now I mean

to practice. \* \* \* The spoilsman will have to take a back seat—I care not under what label he is traveling, whether he is labeled Republican, Democrat, Keystone, Prohibitionist, Socialist, or what not. It seems almost incredible that it should have taken so many years to convince the intelligent people of our great country, the intelligent people of the Commonwealth of Pennsylvania, the intelligent people of the City of Philadelphia, that it pays to have real civil service and practice it. The statement was made by me during the campaign, and it has been emphasized since our great victory, that the merit system will hold sway in Philadelphia while I am Mayor."

It has been my every effort to live up to this declaration in letter and spirit and I believe that no city in the country can boast of stricter enforcement of the law than Philadelphia, with a gratifying result that speaks for itself.

Instead of wholesale dismissals of employees of the city as sham reform spoilsmen expected, I have adhered to my determination, publicly expressed, not to discharge any city employee on account of political affiliations but to keep them in the city employ as long as they rendered faithful and satisfactory service. For this I have been lashed, persecuted, cursed and anathematized until official life sometimes seemed unbearable, but, knowing that I was right, nothing has swerved me from the path of duty as I saw it.

Reading in the Good Book the other day, I came across a passage in Proverbs—"The way of the transgressor is hard." If King Solomon had had a civil service system and civil service rules during his reign, thousands of years ago, he would probably have added another proverb; something to this effect: "The path of a civil service reformer is not strewn with roses."

The strange part is that the opposition to keeping faith and adhering to the civil service laws came largely from so-called "reformers" who had supported me during the campaign. They were simply furious when I declared to them that merit, and nothing but merit, would decide the administration in making appointments to office, and many of them became the most vitriolic



enemies I have had to contend with during my term of office.

I had a pleasant call yesterday from the Mayor-elect, Hon. Thomas B. Smith. Our talk embraced many subjects, and was quite satisfactory to me in developing the fact that Mr. Smith expressed rather high ideals of how a municipality should be run. He seems to have certain convictions regarding the merit system, and I hope will not follow the vicious precedent of some of my predecessors, but will permit city employees to retain their places as long as they give good service. He has my best wishes, as he has those of all good citizens, for a successful administration.

In the successful execution of the merit system I have had the intelligent and cordial support of the Civil Service Commission appointed by me, and I herewith express my high appreciation of their fine work and the high plane on which that important office has been administered by the Civil Service Commissioners—Mr. Frank M. Riter, Mr. Lewis H. Van Dusen and Mr. Peter Bolger.

As I have today to welcome four or five conventions and assemblages, I know you will excuse me from further attendance at your annual meeting.

Again extending to you a warm welcome, I leave you, with the heartiest wishes for renewed activities and even greater results in your important work in the future than in the past.

President Dana responded to the Mayor's welcome as follows:

In response, Mr. Mayor, to your warm words of welcome to the National Civil Service Reform League, let me say that it is a great pleasure for us to visit Philadelphia again. We have visited Philadelphia in the past about once in four years, and we have always found these visits stimulating. They were usually stimulating as reactions against the spoils system, which we found in full force in your city of Brotherly Love. At our last meeting four years ago, following an administration exhibiting nullification of the civil service laws, to our surprise

we saw an illumination on the City Hall in large letters of electric lights, "Welcome Civil Service Reformers." You, as the new Mayor of the city, made promises of carrying out the purposes as well as the letter of the civil service law. We are now stimulated by an exhibit of the merit system in Philadelphia, for after closely watching your administration for four years we are glad to report those promises have been amply fulfilled and we only trust that you have set such an example of high grade civil service administration and have so proved its benefits to the City of Philadelphia that no successor will ever dare to go wholly back upon the principles of the reform, though we may not always expect so able and conscientious an administration of the merit system as you have so well illustrated. I, therefore, end with the best wishes to you and your city on behalf of the National Civil Service Reform League.

Mr. Henry W. Hardon, as chairman of the special Committee on Report of the Council,<sup>1</sup> announced that the report of the Council had been printed and distributed in accordance with the directions at the September meeting of the Council. Copies were on hand for distribution to all those who desired them. In view of the fact that the report had been printed, it was, upon motion, directed that the reading of the report be dispensed with.

In the absence of Mr. Frissell, the Treasurer of the League, the annual report of the Treasurer<sup>2</sup> was presented by the Secretary, which was, upon motion, received and ordered to be submitted to an auditing committee.

Hon. Charles J. Bonaparte submitted the report for the Committee on Nominations, as follows:

**FOR PRESIDENT:**

Richard Henry Dana.....Cambridge, Mass.

**FOR VICE-PRESIDENTS:**

Edwin A. Alderman.....Charlottesville, Va.

Charles J. Bonaparte.....Baltimore, Md.

Joseph H. Choate.....New York, N. Y.

Charles W. Eliot.....Cambridge, Mass.

Harry A. Garfield.....Williamstown, Mass.

James, Cardinal Gibbons.....Baltimore, Md.

George Gray .....Wilmington, Del.

Arthur T. Hadley.....	New Haven, Conn.
Seth Low .....	New York, N. Y.
Franklin MacVeagh .....	Chicago, Ill.
George A. Pope.....	Baltimore, Md.
Moorfield Storey .....	Boston, Mass.
Thomas N. Strong.....	Portland, Ore.
Herbert Welsh .....	Philadelphia, Pa.

## FOR MEMBERS OF THE COUNCIL:

William A. Aiken.....	Norwich, Conn.
Frederick Almy .....	Buffalo, N. Y.
Edgar A. Bancroft.....	Chicago, Ill.
Ellen Shaw Barlow.....	New York, N. Y.
Charles J. Bonaparte.....	Baltimore, Md.
Arthur H. Brooks.....	Boston, Mass.
Roscoe C. E. Brown.....	Brooklyn, N. Y.
Charles C. Burlingham.....	New York, N. Y.
George Burnham, Jr.....	Philadelphia, Pa.
John A. Butler.....	Milwaukee, Wis.
Charles L. Capen.....	Bloomington, Ill.
Edward Cary .....	New York, N. Y.
Robert Catherwood .....	Chicago, Ill.
William C. Coffin.....	Pittsburgh, Pa.
Everett Colby .....	Newark, N. J.
Charles Collins .....	New York, N. Y.
Joseph P. Cotton.....	New York, N. Y.
William E. Cushing.....	Cleveland, Ohio
Wilbur F. Decker.....	Minneapolis, Minn.
Horace E. Deming.....	New York, N. Y.
Albert de Roode.....	New York, N. Y.
John Joy Edson.....	Washington, D. C.
Charles W. Eliot.....	Cambridge, Mass.
John A. Fairlie.....	Urbana, Ill.
Henry W. Farnam.....	New Haven, Conn.
Albert Smith Faught.....	Philadelphia, Pa.
Cyrus D. Foss, Jr.....	Philadelphia, Pa.
William Dudley Foulke.....	Richmond, Ind.
Elliot H. Goodwin.....	Washington, D. C.
Charles Noble Gregory.....	Washington, D. C.
Howard R. Guild.....	Boston, Mass.
William B. Hale.....	Chicago, Ill.
Henry W. Hardon.....	New York, N. Y.
Henry T. Hunt.....	Cincinnati, Ohio
Stiles P. Jones.....	Minneapolis, Minn.
Robert D. Jenks.....	Philadelphia, Pa.
William V. Kellen.....	Boston, Mass.
Francis B. Kellogg.....	Los Angeles, Cal.
Arthur R. Kimball.....	Waterbury, Conn.
John F. Lee.....	St. Louis, Mo.
William G. Low.....	Brooklyn, N. Y.
George McAneny .....	New York, N. Y.
Henry L. McCune.....	Kansas City, Mo.

John W. Mariner.....	Milwaukee, Wis.
Harry J. Milligan.....	Indianapolis, Ind.
William B. Moulton.....	Chicago, Ill.
Samuel Y. Nash.....	Boston, Mass.
Marian C. Nichols.....	Boston, Mass.
Samuel H. Ordway.....	New York, N. Y.
Elliott H. Pendleton.....	Cincinnati, Ohio
H. O. Reik.....	Baltimore, Md.
Charles Richardson.....	Philadelphia, Pa.
C. P. Shaw.....	Norfolk, Va.
Nelson S. Spencer.....	New York, N. Y.
Henry W. Sprague.....	Buffalo, N. Y.
Ellery C. Stowell.....	New York, N. Y.
Howard Strong.....	Minneapolis, Minn.
Lucius B. Swift.....	Indianapolis, Ind.
Frank J. Symmes.....	San Francisco, Cal.
William I. Trembath.....	Wilkes-Barre, Pa.
Henry Van Kleeck.....	Denver, Col.
William W. Vaughan.....	Boston, Mass.
T. Henry Walnut.....	Philadelphia, Pa.
Everett P. Wheeler.....	New York, N. Y.
Russell Whitman.....	Chicago, Ill.
Charles B. Wilby.....	Cincinnati, Ohio
Ansley Wilcox.....	Buffalo, N. Y.
Frederick C. Winkler.....	Milwaukee, Wis.
R. Francis Wood.....	Philadelphia, Pa.
Clinton Rogers Woodruff.....	Philadelphia, Pa.

It was upon motion directed that the Secretary cast one ballot for the election of the persons named in the report of the Committee on Nominations. The Secretary cast the ballot and announced the election of the officers.

The report of the Committee on Resolutions<sup>1</sup> was presented by Samuel H. Ordway. Upon motion, the report was accepted and the resolutions adopted as the resolutions of the League.

Reports from auxiliaries and associations composing the League were then read.<sup>2</sup>

## SECOND SESSION.

Luncheon Meeting—1:30 P. M.

THE luncheon meeting consisted of a symposium on the merit system for higher offices. The presiding officer at the luncheon was Hon. Charles J. Bonaparte,

ex-Attorney-General of the United States and a member of the Council of the League. The speakers at the meeting were Hon. Charles M. Galloway, of the United States Civil Service Commission; Hon. Frank M. Riter, president of the Philadelphia Civil Service Commission; Hon. Samuel H. Ordway, president of the New York State Civil Service Commission; Dr. Henry Moskowitz, president of the New York City Civil Service Commission; Hon. Lewis H. Van Dusen, of the Philadelphia Civil Service Commission, and Colonel M. G. LaRochelle, of the Canadian Civil Service Commission.

Commissioner Galloway, in speaking of the federal service, called attention to the fact that the time when civil service examinations consisted of mere scholastic tests had long since passed. He said the examinations conducted by the Federal Commission paid particular attention to the candidate's personality and experience. He cited a large number of examples of examinations which the United States Commission had held for high-grade positions, combining requirements of professional or technical attainments with executive and administrative ability, such as agrostologist in the Bureau of Plant Industry, chief of the road material laboratory, consulting engineer in the Geological Survey, and chief chemist in the Bureau of Standards.

President Riter, of the Philadelphia Commission, mentioned particularly two constructive steps which had been taken in Philadelphia. The first was a policy of complete publicity of the records of the Commission. Any citizen and any candidate for an office in the city service were given the right to examine the records of the Commission and the examination papers of any candidate. The second step which the Philadelphia Commission had endeavored to take in advance was to make all examinations appropriate.

President Ordway, of the New York State Civil Service Commission, in a forceful address pointed out the need of filling the higher positions in the civil service on a basis of merit in order that the democracy in which we live may be maintained on an efficient basis. Mr. Ordway believed that public opinion needed to be edu-

cated to the point of recognizing that the competitive examination is practical as a means of filling higher positions involving expert qualifications. He said it was practicable to select supervisors and heads of bureaus and departments and other positions that require executive ability and tact through competitive examination. He stated that he would rather have a department consisting of an expert of tried ability and experience, with all the qualifications for the position, and with a mediocre and ineffective body of subordinates than a well qualified body of subordinates and an untried, inexperienced and ineffective head. The civil service commission, Mr. Ordway believed, was in a position and had better means to select qualified administrative heads of bureaus and departments than the policy-determining head of the department himself could do.

Dr. Moskowitz, president of the New York City Commission, cited numerous examples in the New York City service where higher positions had been successfully filled through competitive examination. Notable among these were five bureau directors in the Department of Health, who were paid annual salaries of \$5,000 each. Some of these positions were filled through promotion examination and others through open competitive examination of the non-assembled type. All resulted in the appointment of persons well qualified for the position and persons satisfactory to the head of the department. Dr. Moskowitz particularly pointed out that in holding examinations for the higher positions it was important for the civil service commission to co-operate with business organizations, civic organizations and educational and philanthropic institutions, both in securing advice as to the character of the examinations and in order to recruit good material as candidates for the positions to be filled.

Commissioner Van Dusen, of Philadelphia, recapitulated the arguments of the various speakers and took up certain specific points brought out. He gave particular emphasis to the importance of adequate appropriation for the work of the commission, the need for complete publicity of records of the commission, and the need for

extensive advertisement of examinations. He affirmed and insisted upon the importance of all that had been said regarding the extension of the competitive principle to all higher positions of an administrative character.

Colonel M. G. LaRochelle, of the Canadian Commission, complimented the League on the work which it had accomplished, and in a gracious address urged the League to attend the next annual convention of the Assembly of Civil Service Commissions, which was to be held in Ottawa in the month of June.

### THIRD SESSION

4:00 P. M.

**A**T the third session of the League, which convened at 4:00 P. M., reports from various associations and auxiliaries were completed.

### FOURTH SESSION

8:15 P. M.

**T**HE fourth session of the League was a public meeting held in the Roof Garden of the Hotel Adelphia. President Dana delivered the president's annual address<sup>1</sup> and presided at the session. The other speakers at the session were Mrs. Florence Kelley, secretary of the National Consumers' League, who spoke on "Civil Service Reform from the Point of View of the Enlightened Consumers." Hon. George W. Norris, of Philadelphia, agent of the Federal Reserve Board and formerly head of the Department of Wharves, Docks and Ferries in Philadelphia, spoke on "The Merit System in Philadelphia"; Hon. George W. Norris, United States Senator from Nebraska, spoke on "The Application of the Merit System to Postoffices of the Presidential Class"<sup>2</sup>; and Charles W. Eliot, president emeritus of Harvard University, addressed the meeting, using for his subject "Can the Civil Service of a Democracy be Made Efficient?"<sup>3</sup>

### REPORTS OF AUXILIARIES AND ASSOCIATIONS

The Massachusetts Auxiliary reported through its

secretary, Miss Marian C. Nicols, that 65,703 pamphlets had been distributed by the auxiliary during the year. The distribution of these pamphlets formed the most important part of the work of the Massachusetts Auxiliary. It was estimated that through distribution of pamphlets to various schools and colleges throughout the country, the pamphlets reached hundreds of thousands of school children, as they were used for a number of years in the various classes in history and civics. The Auxiliary had arranged for meetings, which had been addressed by George T. Keyes, secretary of the League, and by Mrs. Imogen B. Oakley. Miss Nichols, the secretary of the Women's Auxiliary, had also spoken to various groups of students on civil service reform. The Auxiliary had also done important work in assisting the Massachusetts Association in securing legislation to classify the employees of the Deer Island house of correction.

A report was presented for the Women's Auxiliary of the New York Association by Mrs. Everett P. Wheeler. The New York Auxiliary had sustained a severe loss through the death of Miss Agathe Schurz, its president, who had been a sincere worker for the cause of civil service reform since the death of her father, Carl Schurz. The former secretary of the Auxiliary, Miss Hutchinson, had resigned, and the work had been taken up by Miss Fannie M. Witherspoon. The work of distribution of pamphlets had gone forward under Miss Witherspoon with increased activity. The Auxiliary had also co-operated with the New York Association in legislative action and with the League in urging the adoption by the President of the policy of retaining in office postmasters who had risen in the service through promotion.

Mr. Glenway Maxon, of Milwaukee, presented a report for the Wisconsin Association. Mr. Maxon reviewed the legislative work of the Wisconsin Association in the 1915 session of the Wisconsin legislature. He indicated that the legislature was not at all friendly to the merit system. One bill had been introduced to amend the civil service law by providing for a minimum eligible list of five persons; that is, that there should be at all times a list of that number, or the appointing officer should be



allowed to make his appointments without regard to the civil service law. Another bill had been introduced making a large number of exemptions in the attorney-general's office. One of the most vicious measures was a bill providing for the certification of an entire eligible list to an appointing officer. A bill providing for an absolute preference for Spanish war veterans had been reported favorably and passed the assembly. The bill had been defeated only after hard work in the senate, after it had come up for final passage. Mr. Maxon quoted part of an interesting decision handed down by the court of last resort of Wisconsin in a case involving the right of Spanish war veterans to preference in the civil service, as follows:

"Upon the general subject of classification of those who have served their country in arms there has been much of decisions in later years, growing out of the wholly unreasoning attitude of some legislatures toward them. No one denies that to those who have thus sacrificed their comfort, and often their health and vigor, to the public, there is a legitimate and proper feeling of gratitude from the entire community which each member thereof should appreciate; but this does not answer the question whether, by constitutional enactment half a century or more ago, there was conferred upon agents of the public—the legislature—authority to coin this gratitude into all forms of favor, whether by direct donation or by exemption of the duties and burdens resting upon other citizens, after these men have returned from their military service and again become, as they were before, part of the mass of citizenship. The federal government does without question discriminate by direct payment of money by way of pensions. To that end, doubtless, those who serve the government in its wars are a legitimate class, distinct from the rest of the community, by reason of the service which they have rendered; but in many other respects they are not so distinct, and that fact has been emphasized by the various states in many decisions. For the purpose of performing work for a government, the ex-soldier stands upon no different footing from the civilian."

Mr. Maxon called attention to the work of the Wisconsin State Commission particularly with reference to an examination held for assistant attorney. The Commission had determined that the personality of the candidate was important and should be rated in the examination, and an oral test was held in which three out of a total of ten points was accorded to personality. The examination had been a very successful one, and it resulted in an eligible list with which the attorney-general was satisfied. Mr. Maxon also mentioned legislation which had been introduced to provide that the service of Milwaukee County, which has a population of about 430,000, should be under the jurisdiction of a civil service commission. Due mainly to the opposition of the board of supervisors and other elective county officials, the Milwaukee County Act had failed to pass.

Mr. Howard Strong, of Minneapolis, reported on behalf of the Minneapolis Civic and Commerce Association that a sudden attempt had been made in the last legislature by spoilsmen to repeal the Minneapolis civil service law. A repeal bill had passed the house quickly, but had been held up in the senate. A fight was waged around this bill, as it hung in the senate during the entire session, and it was only after extraordinary efforts on the part of friends of civil service reform in the city and other parts of the country that the bill was finally defeated. Mr. Strong said that had it not been for the service of the League, and particularly of the League's secretary, Mr. Keyes, the Minneapolis law would undoubtedly have been repealed.

Professor Henry W. Farnam of New Haven reported for the Connecticut Association that the Connecticut law enacted in 1913 under a Democratic government and a legislature partly Democratic and partly Republican had been amended in 1915 providing that any state officer elected by the people might exempt himself from the operation of the law by a simple declaration of such policy on his part. This attack on the law had been made by a Republican legislature and the amendment had come over the protest of civil service reformers in the state and officers of the League and also over the protest of

ex-President Taft. Professor Farnam pointed out that the attack on the law had not been as extreme as might have been expected. The *Hartford Courant* had come out openly for the complete repeal of the civil service law, but Governor Holcomb, while he wished to support the legislature, did not believe in the complete repeal of the law. In view of the serious setback in Connecticut, Professor Farnam believed that it would be an excellent thing for the League to consider holding its next annual meeting in Connecticut.

Hon. William Dudley Foulke presented a report from the Indiana Association, which concerned an investigation which had been made of certain appointments and changes in the rural carrier service. The Indiana Association had appointed Mr. Foulke as a special committee to make this investigation and he had found that some seventeen rural free delivery carriers in Wayne County had been displaced through Postmaster General Burleson's attempt to "motorize" the rural free delivery service. The postmaster at Richmond, Indiana, had been directed by the post office department to discontinue eight rural routes and the department had named the carriers who were to be thus laid off. The majority of these carriers had been in the service for more than five years and had secured their positions through civil service examination. Mr. Foulke criticised the action of the post office department, particularly in asking the co-operation of Congressmen in selecting new appointees to the newly created motor routes and the Indiana Association had held that this action was "an open violation of section 10 of the civil service law," which "will be the natural precursor of other violations and the reinstatement of spoils politics will be a natural result."

Mr. Samuel Dauchy of Chicago reported for the Chicago and Illinois Associations that the assembly of the previous year had enacted an amendment to the Illinois civil service law which provided that Spanish War veterans and veterans of the Philippine insurrection should be given a preference on civil service eligible lists. The amendment had been secured very largely through the activities of the lieutenant-governor, who was him-

self a Spanish War veteran. Early in the year the Chicago Commission had completed an examination for chief examiner of the Chicago Commission. The examination had resulted in the appointment of Arthur M. Swanson, who had been chief examiner of the Philadelphia Commission and previous to that chief examiner of the Kansas City Commission. The Association had co-operated with the state's efficiency and economy commission in an investigation of the state service and had assisted in the formulation of the commission's report. The most important matter with which the Chicago Association was concerned was the appointment of a new Chicago Civil Service Commission by Mayor Thompson. The new Commission consisted of Percy B. Coffin, Edward C. Racey and Joseph P. Geary. Later upon Mr. Racey's death Charles E. Frazier had been appointed. The new commission had made many inroads on the merit system in the city service. It had removed members of the efficiency division of the Commission, had authorized 9,163 temporary authorities, cancelled eligible lists and committed other acts which the Chicago Association held as violations of the letter and spirit of the civil service law. The Association had finally presented charges against the Commission to Mayor Thompson and asked for the removal of the Commission. The Mayor had supported the Commission in all of its acts and refused to dismiss them. The Association had then presented charges to the council and the council, through its finance committee, determined that the Association's charges were substantial and recommended to the Mayor the removal of the Commission. The Mayor, however, refused to accede to the demands of the council and continued to uphold the Civil Service Commission. The Chicago Association continued to work on the situation and planned other investigations in order to save as much as possible of the merit system in the service of the city of Chicago.

William V. Kellen of Boston presented a report for the Massachusetts Association. Mr. Kellen reviewed the legislative work of the Association, mentioning particularly the successful passage of the bill classifying positions in the house of correction of the penal institution

department of Boston situated at Deer Island. Particular mention was made of the work done by the Women's Auxiliary in this matter and credit for the passage of the bill was given to that organization. Seven other bills were introduced to extend the civil service law to counties, but all were defeated, largely due to the opposition of the sheriffs. A bill granting to Spanish War veterans a preference in appointment to positions in the civil service, which appears in the Massachusetts legislature annually, was defeated early in the session. Other legislation in which the Massachusetts Association was interested consisted of a large number of bills providing for reinstatement without examination of employees removed during former administrations. These bills the Association opposed.

Hon. Everett Colby of Newark, N. J., reported on behalf of the New Jersey Association, that the Association had been put on its feet largely through the co-operation of the League, especially in lending Mr. J. Frank Cornelius of Pompton Lakes, N. J., the Chief Clerk in the League's offices, to the Association. Mr. Cornelius as Secretary had reorganized the New Jersey Association and built up its activities. Mr. Colby reviewed briefly the history of civil service reform in New Jersey, calling to mind how one of the State Senators at the time of the introduction of the law denounced the principle of the merit system as a poison that would eat into and destroy party solidarity. That Senator is now one of the vice-presidents of the New Jersey Association. In the last session of the legislature nine bills had been introduced by the New Jersey Association and four were passed and signed. Four of the others were on the order of third reading when the legislature adjourned. The most important legislation secured through the New Jersey Association was an amendment to the law providing that when a petition for a civil service referendum is presented to a municipal clerk it shall be voted upon by the people without the necessity of approval by the governing body. A large number of bills unfriendly to the merit system had been opposed by the Association. Only one had passed the legislature and this had been vetoed by the Governor. The most serious

attack, however, on the merit system had been the effort made by the Spanish War veterans to secure a preference in appointment to civil service positions. The veterans' bill had passed the Assembly and was given a hearing before the judiciary committee of the Senate. After the strenuous opposition of the Association, the bill had been allowed to die in committee. The Association proposes to appeal to the veterans of the state themselves in the hope that they will uphold the merit system in this matter of preference. Mr. Colby called attention to the investigation made by a legislative committee of the civil service of the state. He called particular attention to the investigation made in the state comptroller's office, where considerable opposition to the operation of the civil service law was found. Mr. Colby pointed out that with the evidence of thirteen municipalities containing over sixty per cent. of the entire population of the state having adopted the provisions of the New Jersey civil service law, the New Jersey Association had reason to feel gratified at the growth of the merit system in the state.

Hon. Charles B. Wilby of Cincinnati reviewed the civil service situation in the city of Cincinnati and state of Ohio. Mr. Wilby indicated that, with the change in administration the year before, the Civil Service Commission had used the merit system very badly. Appointments were made without regard to the letter or spirit of the law and with an eye to the political administration of the party in power. The adoption of the constitutional amendment of the state in 1913 by a vote of two to one was evidence of the popular demand for the merit system in the state. Mr. Wilby indicated that the demand is growing throughout the entire western country and that it is more difficult for employees to be dismissed for political reasons now than it ever was before.

Mr. R. Francis Wood of Philadelphia reported for the Pennsylvania Association that owing to the fact that Philadelphia had had an excellent Civil Service Commission for the past four years the Pennsylvania Association had found nothing to find fault with. The Association had again secured the introduction of a bill in the last legislature providing for a state civil service commission to

have jurisdiction over the state service. The bill was lost, however, just as it was about to come to the last reading.

Hon. Charles J. Bonaparte of Baltimore reported for the Maryland Association. Mr. Bonaparte stated that Maryland has no civil service law and that it is unlikely that a law will be enacted for that state for some time to come. Mr. Bonaparte pointed out, however, the necessity there was in Maryland for having some system for the selection of employees of the legislature on a basis of merit. The state paid at every session of the legislature something like five times as much proportionately as they do in the New York legislature and something like twelve to fifteen times that spent in the Wisconsin legislature. Mr. Bonaparte pointed out that the employees of the Wisconsin legislature were appointed through civil service examination. He stated that because of the extravagance in the distribution of jobs in and about the legislature the state has been practically bankrupt. Mr. Bonaparte stated that the Maryland Association had "a most beautiful field to work in, but no laborers."

Hon. Ansley Wilcox reported for the Buffalo Association that as a result of an investigation made by a previous New York State Civil Service Commission Buffalo had emerged from a commission which was weak and inefficient and which some people even thought was corrupt and now had a civil service commission of high caliber. The Association had worked in harmony with the new Civil Service Commission and had worked in co-operation with the New York Association in protecting the state civil service law from assault in the Constitutional Convention as well as in the legislature. Buffalo had recently held its first election under a new commission form of government. The election had resulted in a commission favorable to the merit system and with the charter containing a civil service chapter drafted by men who believed in civil service reform the Buffalo Association looked for good results.

Hon. Samuel H. Ordway, President of the New York State Civil Service Commission, commented upon the work of the New York State Constitutional Convention. Mr. Ordway pointed out that the convention was guided

by men who were thoroughly in sympathy with civil service reform principles. The convention had a committee on the civil service, of which Dr. Rush Rhees, President of the University of Rochester, was chairman. The committee had held a great many hearings and considered a large number of proposed amendments to the constitution. They had finally recommended no change in the existing clause of the constitution relating to the civil service. They had proposed, however, a clause, in connection with the reorganization of the 152 independent departments and commissions of the state, a provision in the constitution for a state civil service commission. It was provided that the commission should take care that the civil service provisions of the constitution should be obeyed. The present constitution contains a simple clause providing that appointments and promotions in the civil service shall be after competitive examination so far as practicable. There is, however, a preference given to Civil War veterans in the existing clause. In the Constitutional Convention efforts were made by a number of organizations of employees and citizens to have this preference extended. The most violent effort was made by the Spanish War veterans. The New York Association most actively opposed the effort of the Spanish War veterans and the State Civil Service Commission helped in every way. Mr. Ordway wrote letters, as did the Association, to mayors and heads of departments and commissions throughout the state urging them to oppose any extension of veteran preference in the constitution. The result was that the amendment suggested by the veterans was kept out of the proposed constitution. In closing Mr. Ordway spoke of the help that Governor Whitman had given to the civil service cause. The Governor had supported the Commission in everything it had asked him to do and Mr. Ordway paid an earnest tribute to him for his real co-operation.

Reports from the Women's Civil Service Reform Association of Buffalo and the Civil Service Reform Association of Denver, Colo., were received but not read.

The Women's Association of Buffalo has continued



its effective work along educational lines, particularly in the distribution of pamphlets in the high schools of Buffalo. A medal has been given for the best essay on "The Merit System in the Civil Service of Municipalities" for the past two years.

The Denver Association reported that the Twentieth General Assembly of Colorado, which met in 1915, introduced a measure providing for the absolute repeal of the existing civil service statutes. The bill was amended, however, so as to provide for a limited merit system in the state service. The bill which was finally signed by the governor was condemned by the Association for many reasons. Some of the most important were that it provided for the appointment of three commissioners whose terms should be coterminous with that of the governor; it left no option to cities to avail themselves of the provisions of the act as the old law did; it removed from the classified service the secretary and chief examiner of the commission, executive heads of departments and institutions and a large number of minor employees, all of whom had been included in the competitive class under the former statute; it omitted the stringent penalties provided by the 1912 act for payment by auditing and disbursing officers without the certification of the commission; and it abolished all eligible lists established by the commission during the two years preceding. An effort was made to prevent this measure being referred to the people for a vote by attaching what was known as the "safety clutch," declaring that the act was necessary for "the immediate preservation of the public peace, health and safety." This clause was presumed to prevent the act from being referred to a vote of the people under the initiative and referendum laws of the state. Referendum petitions were circulated, however, on the ground that the bill was not an emergency measure and contained no emergency clause to make it take effect immediately and therefore the so-called "safety clutch" did not become effective. The secretary of state refused the referendum petitions and the Association started mandamus proceedings against the secretary of state in an effort to compel him to accept the petitions. The district court had denied the writ and

the case was then pending in the supreme court on appeal. A new commission had been appointed under the new law, a majority of which had also been members of the old commission. The situation, however, was very aggravating because no constructive policies could be carried out until the decision of the court on the right of the people to vote upon the 1915 law was rendered. The Denver Association intended also to circulate petitions for the initiation of an amendment to the constitution of the state providing for a civil service clause in the constitution. It was expected that this amendment would be voted on by the people in the next general election in November, 1916.

## ANNUAL REPORT OF THE TREASURER.

November 30, 1915.

## GENERAL FUND.

Balance on hand December 1, 1914..... \$1,449.98

## RECEIPTS:

Two months' salary of Assistant Secretary transferred from Special Fund..	\$125.00
Associate membership dues .....	225.00
Sustaining membership dues .....	175.00
Interest on bank deposits .....	60.43
Buffalo C. S. R. Association.....	250.00
Chicago C. S. R. Association.....	400.00
Connecticut C. S. R. Association.....	150.00
Indiana C. S. R. Association.....	100.00
Maryland C. S. R. Association.....	150.00
Massachusetts C. S. Association.....	1,150.00
New York C. S. R. Association.....	1,600.00
Pennsylvania C. S. R. Association....	1,066.45
Wisconsin C. S. R. Association.....	100.00
New Jersey C. S. R. Association.....	50.00
Women's Auxiliary of Massachusetts..	100.00
Woman's Auxiliary of New York....	50.00
Woman's Auxiliary of Maryland.....	100.00
California C. S. R. Association.....	50.00
Cincinnati C. S. R. Association.....	50.00
District of Columbia C. S. R. Association .....	50.00
Pamphlets sold .....	18.50

Total receipts .....	\$6,020.38
GOOD GOVERNMENT receipts .....	1,011.31

7,031.69

\$8,481.67

## DISBURSEMENTS:

Salary of Secretary .....	\$1,250.00
Salaries of Clerks .....	1,404.00
Office rent .....	550.00
Office expenses .....	177.98
Postage and stamped envelopes.....	323.74
Stationery .....	114.44
Printing .....	365.15
Traveling expenses .....	425.79
Telephone service .....	27.17

Total Disbursements .....	\$4,638.27
GOOD GOVERNMENT Disbursements..	1,042.51

5,680.78Balance on hand in General Fund (Carried Forward) \$2,800.89

Balance on hand in General Fund (Brought Forward) \$2,800.89

### SPECIAL FUNDS.

*Special Fund of the Committee on Extension of Civil Service Reform:*

Balance on hand December 1, 1914.... \$108.52

DISBURSEMENTS:

Traveling expenses ..... 108.52

*Special Fund for Increasing Membership and Influence:*

Balance on hand December 1, 1914..... \$1,085.50

RECEIPTS: ..... 1,030.00

\$2,115.50

DISBURSEMENTS:

Printing ..... \$521.70

Traveling expenses ..... 375.83

Postage ..... 28.25

925.78

Balance on hand ..... 1,189.72

*Special Fund:*

Balance on hand December 1, 1914..... \$445.78

RECEIPTS: ..... 1,000.00

\$1,445.78

DISBURSEMENTS:

Salary of Assistant Secretary ..... \$875.00

Printing ..... 7.68

Traveling expenses..... 21.00

903.68

Balance on hand ..... 542.10

Total cash on hand ..... \$4,532.71

E. & O. E.

A. S. FRISSELL,  
*Treasurer.*

Audited and found correct:

GEORGE R. BISHOP,

HERBERT L. GUTTERSON,

*Committee.*

March 1, 1916.

## REPORT OF THE COUNCIL.

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At this, the thirty-fifth meeting of the National Civil Service Reform League, the Council invites the attention of Congress and the general public to its program and outlook for the future. For over a third of a century the merit system has been gaining ground, until it is now ready, with the aid of public opinion, to storm that mediæval entrenchment of the spoils system built on the phrase "by and with the advice and consent of the senate." Confirmation by the senate of those officials who have nothing to do with the determination of public policy blocks the steady progress of civil service reform. Mr. Bryce is authority for the statement that in providing for the confirming power the framers of the constitution intended only that the senate should check the president by the rejection of those appointees who were unfit for office. It should be noted, however, that from the introduction of the spoils system over eighty years ago down to the present day, these offices have been treated as the perquisites of the senators and representatives of the party in power, and no president has dared to make a radical departure from this pernicious practice or to force an issue upon his constitutional right of nomination.

These senate confirmed officers, with the exception of a mere handful, have nothing to do with the determination of governmental policy; they are merely superior administrative officers differing not in kind, but in grade only from other members of the classified service. They comprise with others the army of postmasters, collectors of customs and internal revenue, district attorneys and marshals who are encamped in every corner of the country, and their use as political agents of the party in power is a prostitution of the civil service.

What defense can be made of a system which makes the law-makers of the country distributors of offices? What argument can be presented for the retention of such a system? The demolition of this system rests with public opinion. It remains for the advocates of the merit system to secure an enlightened public opinion which shall

demand that the higher offices be placed in the classified service. Ten thousand of the superior officers remain outside the scope of the civil service rules. In Democratic states these patronage appointees are the political agents of their congressional sponsors; in Republican states they are the political agents of the administration in power. All of them are subject to summary removal by the president. Such a system fosters a practice by which great numbers of municipal officials are from time to time and more or less persistently absent from their offices devoting their energies not to the business of their offices but to the control of local political affairs.

Not until these higher administrative posts are withdrawn from the field of politics will the service have that permanence which is essential to efficiency.

#### CLASSIFICATION OF PRESIDENTIAL POSTMASTERS.

As a first step in this direction, the League asks the co-operation of commercial bodies, labor unions and other business organizations in an energetic campaign which will have as its special purpose to secure legislation providing for the competitive classification of first, second and third class postmasters. Postmasters are subordinates of the postmaster general and are no more than subordinate officials in charge of the business management of their respective offices. There is no more reason that a Democratic postmaster should be removed on a change in administration to make way for a Republican than that a clerk should be removed for similar reasons. In England the only exempt position in the entire postal service is that of postmaster general. Under the present system in this country the first, second and third class postmasterships are part of the senatorial patronage. Under the merit system it would be possible to fill many of the postmasterships through promotion from the clerical force in the postoffice and the rest by the promotion of a postmaster from a smaller to a large office on a basis of efficiency and competitive promotion examination. In accordance with the principles underlying such a campaign, the League during the past year advocated before the President and the Postmaster General the adoption of the

policy of retaining in office the persons who have risen through the ranks to the position of postmaster. Investigations have been made in a number of cases where postmasters entered the service in the lower ranks and had been promoted from time to time to the office of postmaster. The League believed that it was of the utmost importance that young and able men should be induced to enter the public service and that one of the best ways to secure this result was to let it be known that all men who devote themselves to the public service as a career would receive recognition by promotion to the highest offices which their worth deserves. The attention of the postoffice department was invited to the successful promotion to postmasterships in the case of the postmaster at Norfolk and the postmaster at New York City. The sole purpose of the League's officers in urging the retention of Clinton L. Wright as postmaster at Norfolk and Edward M. Morgan as postmaster at New York City was to illustrate the beneficial results of the adoption of the policy advocated by the League and the need of the application of that policy to all similar cases. The Postmaster General, while recording the postoffice department as in favor of the classification of postmasters of the presidential grade, provided this was accomplished by "gradations," yet declared that, pending the passage by Congress of the desired legislation, it would not be practicable to provide a rule of conduct requiring the continuance in the department of persons who obtained and held their offices because of demonstrated fitness. The Postmaster General declared:

"In the nature of things the department must be guided in nominating persons to the President for appointment very largely by the preference of its duly constituted political advisors representing the communities interested. To go counter to this opinion under present conditions would be an unwise and unauthorized exercise of executive power, which, in all probability, would not be sanctioned by the Senate."

Mr. Wright, postmaster at Norfolk, has been superseded by a political appointee, and the removal of Mr. Morgan, postmaster at New York City, to make place for a Democratic henchman is anticipated by the newspaper

reports. While there may be a difference of opinion as to whether or not public sentiment would permit the Senate to impose its will upon a president who nominates as postmaster an individual qualified for the office through promotion on merit, yet there can be no difference of opinion on the statement that "senatorial courtesy" implies a violation of the spirit of the constitution, and this emphasizes the necessity of the accomplishment of the League's program to the end that the postoffice department, the great business department of the government, may be absolutely divorced from politics.

#### THE MERIT SYSTEM AND THE FOREIGN SERVICE

Real progress has been made in the administration of the foreign service by the passage of the Stone-Flood bill. The new law with reference to the foreign service may well be characterized as the fourth notable step in the progress thus far achieved by the merit principle in this field. These steps, which make for a permanent and trained personnel abroad, are of such great importance as to merit recording in detail.

First. Under the inspiration of President Roosevelt in 1906 came the passage of the consular reorganization bill, which classified, graded and regulated the consular service and laid the foundation for a proper system of appointments and promotions.

Second. In the same year President Roosevelt issued his Executive order requiring that original appointments in the consular service should be made through a non-competitive examination and that promotions within the service should be based on efficiency records. The process of reclamation of the foreign service had thus begun by the inauguration of an examination system which expressly excluded any examination of the "political or other affiliations" of the candidates.

Third. In the first year of President Taft's administration came the executive order of November 26, 1909, extending the non-competitive system of appointments to the lower grade positions in the diplomatic service. That order introduced the merit system of appointment and promotion as far as was consistent with certain special



requirements peculiar to diplomatic offices, with the constitutional provision for appointment by and with the advice and consent of the Senate, and the proportional distribution of federal offices. In operation the order had a decided tendency to reclaim the diplomatic service from the spoilsmen and place it in a position to serve the best interests of the nation.

During the next few years many commercial bodies sought to secure the enactment of the executive orders into law as an effective bar to their revocation with a change in administration. The change of administration in 1913, however, did not terminate the existing system, as President Wilson expressed his sympathy with the purpose of the orders and continued their operation. The orders stood the attack and pressure of place hunters, and public opinion upheld the hands of the President when he insisted that the business interests of the country should not be sacrificed.

Fourth. In the recent session of Congress the next great step was taken, when Congress passed and the President signed the Stone bill providing for the classification of the diplomatic secretaries and consular officers in grades, and the assignment of the members of the service to these grades. The President was also authorized to transfer these offices from one post to another "as the interests of the service may require." It is well to record here that Congress showed no jealousy of prerogative and relinquished its power to confirm officers to particular stations. Under the old practice a man was nominated by the President to be secretary to a particular embassy, while under the new law he is secretary of a system. Such a law gives needed elasticity to the service and tends to the exclusion of partisan considerations. Transfers may be made freely from one place to another within the same grade. Such a transfer under the old law was a new appointment subject to confirmation by the Senate. Thus the law gives an elasticity which is of inordinate importance if the foreign service is to fulfill its mission in the highest degree.

The new law does not stop with a reclassification and regrading of the service, however. One excellent feature of the executive orders was enacted into law in the clause

directing the Secretary of State to keep a service record of the officers of the foreign service and to report to the President the names of those officers "who by reason of efficient service" had demonstrated "special efficiency" for promotion. This means that promotion within the service shall be made on efficiency records. This feature of the executive orders has, therefore, reached the statute book and cannot be swept away at one stroke of the pen.

While that part of the executive orders creating a board of examiners to test the qualifications for the foreign service without regard to the political or other affiliations of the candidates was not enacted into law, the new statute may well be characterized as the fourth great step in the improvement of our foreign service. It should have a marked effect upon the commerce of the country. The Executive orders stand and it is inconceivable that a reactionary attitude would be taken by a new administration. Meanwhile, the progress which has been won should be the inspiration for early legislation making permanent provision for guarding entrance to and promotion in our foreign service.

Another factor which went far to improve conditions in the foreign service was the investigation of the so-called "Santo Domingo diplomatic scandal," conducted by Senator James D. Phelan of California, in which Minister James Mark Sullivan was accused of having improper relations with the Banco Nacional. It was during this investigation that it developed, through the publication of the Vick letter, that Secretary of State Bryan had sought "jobs" for "deserving Democrats." The policy advocated by the then Secretary of State was generally and justly condemned, in the words of the Council's resolution, as "plainly inconsistent, not only with fidelity to the principles of the merit system, but with ordinary good faith towards the Dominican Republic and its creditors." As a result of the investigation, Mr. Sullivan resigned and Mr. W. W. Russell, who had been superseded by Mr. Sullivan, was offered and accepted the appointment to his old post.

In this statement of aspiration and record of the Federal service many important and interesting details in the progress of the reform have necessarily been omitted, but

a number of them will be presented during this meeting by other speakers.

#### CIVIL SERVICE REFORM THROUGHOUT THE COUNTRY.

A careless observer of legislative action during 1915 in those states which had adopted civil service laws might readily believe that the advocates of the spoils system were sweeping the country and that the tide was rising against the merit system. Such belief would be founded upon an insufficient knowledge of the history of the progress of the competitive system. While civil service reform has maintained its steady advance in the Federal service, yet state legislatures have been reluctant to pass civil service bills for obvious reasons. Until 1905 New York and Massachusetts remained the only states which had placed their services on a competitive basis. In that year the Wisconsin legislature passed a statewide civil service measure, which received the approval of Governor La Follette. Contemporaneously with the adoption of the civil service law in Wisconsin, the legislature of Illinois approved an act applicable to the state charitable institutions. While there had been a civil service law on the Illinois statute books since 1895, it applied to cities only, subject to adoption by popular vote.

Three years later New Jersey followed the lead of Wisconsin and Illinois and approved a civil service bill which affected the state service and may be adopted by any civil division of the state. In 1911 the passage of advanced civil service legislation in Illinois was the direct result of a popular majority of over 280,000 in favor of civil service reform. The progressive movement in both parties which came to the surface in 1912 doubtless contributed to the great progress which was gained for the merit system in that year and in the legislative sessions which followed. November of 1912 saw the people of Colorado, by the means of the initiative, extend the jurisdiction of the State Civil Service Commission to the entire state service, including the employees of the legislature. In 1913 the legislature of Ohio passed a comprehensive civil service law applying not only to the state, but its

cities, counties and city school districts as well. In the same year California adopted the competitive system for the state service and the legislature of Connecticut passed a civil service bill which received the approval of the Governor.

Further evidence of the acceptance of the merit system is made plain by the number of popular votes in favor of civil service reform. To illustrate the popular sentiment the cases of Ohio and New Jersey are cited. In the former state in 1912 a new constitution was submitted containing a civil service clause. A popular majority of over 100,000 in a total vote of 306,000 was piled up in favor of the inclusion of the merit system in the fundamental law of the state. In 1908 New Jersey enacted a civil service law providing that municipalities might by popular vote adopt a civil service system which is under state control. Twelve municipalities have thus far approved the system, registering a majority of 61,000—nearly 30 per cent. of the total vote.

The reverse of the shield appears in the recent civil service record of several Republican legislatures. In 1915 there was a reaction against social legislation; labor laws and workmen's compensation laws were endangered and one legislature even tried to pass a cannery bill permitting women and children to work 76 hours a week. It was natural that the reactionary legislatures should also include the civil service laws as part of their destructive program.

When the Republicans regained complete control of the state government of Connecticut, a violent attack was made by the Hartford "Courant" on the civil service law which had been passed by the legislature of 1913. This paper took the ground that the whole law ought to be thrown out of the window and predicted that it would be repealed at once. The legislature, however, although strongly Republican, was not willing to follow the small group of Republican leaders, of which the editor of the "Courant" is one, to this extent. The press of the state was, with few exceptions, opposed to the move, and ex-President Taft was so much interested that he wrote a strong letter to the president of the Connecticut Civil Service Reform Association showing clearly that merely

as a matter of policy it would be most unfortunate for the Republican party to weaken the law. The upshot of the campaign, which lasted nearly three months and which held the center of the stage during the legislative sessions, was that the law was not repealed but so amended as practically to allow any head of a department and any state commission to obtain exemption from its operation, and this law was signed by Governor Holcomb. The law also increased the number of the civil service commissioners in such a way that the Republican party now controls three out of five places. Nevertheless a number of departments and commissions with over 600 positions were still operating under the law in November. Among these are the board of education, the highway department, and the state prison at Wethersfield, and some institutions, like the reformatory at Cheshire, which have secured exemption by application to the Governor, still use the eligible lists of the civil service commission as a convenience.

The last Republican legislature in Colorado, known as "The Silly Twentieth," made a vicious attack upon the Colorado civil service law and enacted a new law which will largely defeat the purpose of the merit system. The amendment makes the civil service commissioners the creatures of the governor, repeals the optional provision applying to cities of the state, largely reduces the competitive classification by placing a number of heads of state departments and institutions in the excepted list, and attempts to prevent a referendum to the people. The Colorado Civil Service Reform Association is leading an active campaign to restore the merit system to its former condition and steps are being taken to secure a referendum of the obnoxious new law in November of next year, when it is hoped it will be revoked by the people. At the same election there will be submitted to the voters a civil service amendment to the state constitution. The phraseology of the proposed clause is similar to that of the New York State constitution and further provides for a civil service commission of three members to serve for overlapping terms of six years.

In Wisconsin an effort was made to emasculate the merit system by the passage of a bill permitting the certification of an entire eligible list instead of three names.

The attacks on the merit system in that state were due to the return to power of the stalwart element of the Republican party. This part of the Republican party had been out of office for about fourteen years. Its leaders did not dare to repeal the civil service law, but sought to destroy its substance by an innocent-looking amendment. Fortunately the bill was defeated in the Senate by a decisive majority, but only after extraordinary effort on the part of the local Civil Service Reform Association.

In Ohio a Republican legislature showed almost rabid hostility to the merit system. Several bills were introduced intended solely to destroy the merit system by legislative enactment. The worst of these bills did not pass, but the law was amended by changing the membership of the State Civil Service Commission from three to two and increasing the number of exempt positions. This legislation was directly contrary to the expressed will of the people, who had declared by a 100,000 majority that "merit and fitness" shall control appointments in the civil service of the state.

During the past six months the people of Chicago have been engaged in a bitter struggle to prevent the mayor and his followers from capturing the city civil service and using the 25,000 positions therein to destroy popular government.

The mayor immediately upon taking office secured the resignations of the civil service commissioners serving under appointment of his predecessor. In April he appointed to the city civil service commission a man known chiefly as a faithful minor follower of Senator Lorimer and with him, a lieutenant of detectives and an investigator with experience as a thief-catcher in the state attorney's office; and when the detective lieutenant died early in November the mayor named in his stead a real estate dealer, generally known as a henchman of the mayor's party manager. In a candid interview in the press of November 11, 1915, the new commissioner said: "I am going up against something I know nothing about. My understanding with the mayor is that I am to do nothing unjustified."

One of the first acts of the commission was to suspend

or lay off the efficiency examiners. Lack of work or funds was the reason given, but as soon as the experts, who had been collected and trained in the efficiency division after years of patient and careful work, were gone, the commission filled their places with the mayor's henchmen and personal friends, ignoring existing reinstatement and eligible lists from which, under the law, certification should have been made. Suits pending in the courts will probably result in the payment by the city of two salaries for the same position—one to the henchman and the other to the lawful holder.

The provisions of law authorizing "temporary appointments not to exceed sixty days pending regular appointments" but "only to meet extraordinary exigencies" and "to prevent the stoppage of public business" have been construed by the new commission in a fashion to create public alarm.

Just before the Chicago Civil Service Reform Association, the City Council and certain newspapers were debarred from access to the records of the commission and an official circular issued by the mayor's government that employees supplying information concerning the service would be treated as disloyal, it was ascertained that in the short period of four months no less than 9,162 temporary appointments had been made. Many of them were to high salaried offices; some of them were renewals and all of them were contrary to the spirit of the merit system.

Neither the accumulating litigation, nor the call of the local Association for the removal of the commissioners, the protests of the press, the hostility of the city council, nor the almost unanimous condemnation of these outrages by other organs of public opinion has restrained the mayor or the commission in their course. The mayor, speaking of himself and referring to his violation of his pre-election pledges, says that "Big Bill Thompson is big enough to acknowledge that he made a mistake when he signed that pledge." He is further quoted as saying of the local Association: "Big Bill hasn't time to monkey with that outfit."

So far the state's attorney has remained silent. But

it is doubtful if prosecution, conviction and sentence of individuals can ever repair the harm done to the service of the city of Chicago.

The legislature of California approved a bill which would take from the civil service commission its power of investigation. The legislation also specifically exempted certain offices under the state board of control. After a public hearing, Governor Hiram Johnson declared that the establishment of the merit system was one of the accomplishments of his administration and he killed the bill by a "pocket" veto.

While these hostile attacks were being made in other states, the Republican legislature of Kansas, under the inspiration of Governor Arthur Capper, passed a civil service bill applying to the state service. Similarly in New Jersey a Republican legislature after an active campaign conducted by the New Jersey Civil Service Reform Association, made a record of progress which has not been equalled since the adoption of the law in 1908. The legislature of Louisiana passed a bill creating a civil service commission to have jurisdiction over the employees at the port of New Orleans. The people of San Diego, California, by a majority of over 3,000, in a total vote of about 10,000, amended their charter by establishing the merit system.

In New York State Governor Whitman was able to secure the resignations of the notorious Sulzer-Glynn Commissioners and has consistently upheld the merit system by vetoing bills which sought to weaken the effect of the law. The Civil Service Commission appointed by Governor Whitman has gone far to restore the merit system in the state and its personnel is the best evidence of the sincerity of Governor Whitman's inaugural address, in which he urged the consistent application of the merit principle as embodied in the constitution.

In New York City the Commission appointed by Mayor Mitchel has made notable advances in methods of civil service examinations, filling by competitive non-assembled examinations conducted by experts high-grade positions to which hitherto the competitive classification has not applied. Nor is the Council unmindful of the



notable record of progress in efficient administration of the merit system by the Civil Service Commission in Philadelphia, attention to which will be called by separate papers.

If this legislative record means anything, it indicates that the merit system is not losing ground and that progress has actually been made in a year replete with hostile attacks upon social legislation. The Council of the League again affirms the declaration of principles formulated by one of its former Chairmen, who said:

"The public service is the people's service, to be used in the people's interests, and not in the interests of individuals, parties or cliques; that is the essential principle of civil service reform."

## RESOLUTIONS OF THE NATIONAL CIVIL SERVICE REFORM LEAGUE

Notwithstanding the fact that the year has been marked by serious attacks on reform legislation, yet progress in the merit system has been made in several important jurisdictions.

Among these, the League calls special attention to:

- (1) The passage of a civil service bill applicable to the state service of Kansas.
- (2) The adoption of the competitive system for the employees of the Port of New Orleans as a result of action by the state legislature.
- (3) The approval of the principles of civil service reform by a large majority of the voters of San Diego, California.
- (4) The passage by Congress of the Stone-Flood bill classifying and regrading the foreign service in the interest of elasticity and good administration.

The League denounces the laws passed by the legislatures of Connecticut, Colorado and Ohio, which seek to limit materially the scope of the merit system in those states. In this connection; however, it is important to note the defeat of hostile legislative measures in the states of California and Wisconsin.

The League calls public attention to the method pursued by many civil service commissions investigating the education, training, achievements, character and personality of candidates, with the aid of eminent specialists, by which method these commissions have continued to select with great success experts of high technical knowledge and marked executive ability and in increasing numbers.

The League urges:

- (1) The classification by law of the higher administrative officers, particularly the collectors of customs and internal revenue, United States marshals and postmasters of the first, second and third class.

(2) The passage of legislation extending the merit system over all positions in the District of Columbia.

(3) The termination of special exceptions through Executive order, save in cases where the need of such exception has been shown in public hearing to the approval of the United States Civil Service Commission.

(4) The extension by law of the merit principle to the consular service and diplomatic secretaryships, so far as consistent with the Constitution.

(5) The limitation of appointment to civil service commissions, boards, and administrative offices to persons of experience in or special knowledge of such service, familiar with its history, and in sympathy with its purpose.

✓ (6) Provision for federal, state and municipal civil service commissions of funds sufficient to enable them to command the services of skilled assistants, without whom there can be no hope of doing the efficient work which the public has a right to demand.

(7) The development of the exercise of efficiency functions so as to get rid of the incapable, raise the tone of the service, standardize salaries and work, and to give effect to complaints of any citizens as to the misconduct or inefficiency of public employees.

(8) The defeat of all legislation granting preference in appointment and promotion in the civil service of the nation, the states and the cities to special groups or classes, such as the Spanish War veterans. Those who fought for the nation in time of war deserve well of a grateful country, but such recognition should take some other form than a law which would largely impair the usefulness of the merit system.

(9) The extension of the merit system of appointment and promotion to employees of legislative assemblies, national, state and municipal.

(10) A full and practical recognition in all commission and city manager charters of the merit principle, protected by the safeguards of civil service examinations, in the choice of public employees and the conduct of public business.

## Democracy and Efficiency

RICHARD HENRY DANA, PRESIDENT OF THE NATIONAL  
CIVIL SERVICE REFORM LEAGUE

The belief is widespread that democracy means and must mean inefficiency, that we in America "are freer than we are strong" and in the words of Walter Lippman "have more responsibility than we have capacity." Some in their despair urge the suicide of democracy and the birth of an empire, saying that it is a choice between freedom and strength. Now what we need, I believe, is not loss of freedom but a partnership with expert service. "Does that not mean," someone will ask, "substituting government by experts for government by the people?" No; I answer it means that to help us in self-government we avail ourselves of the experts both for advice in settling our policies and also when settled, in carrying them out. But to get the full benefit of this partnership with the expert we must give the new partner his full share of power and authority. He should be free both from the well-meaning, amateur interference and from selfish and partisan dictation. In other words, we would first put ourselves in the hands of the best physician obtainable, and when we have done that refrain from neutralizing his prescriptions by swallowing all the quack remedies suggested by well-meaning friends or advertised on the billboards by designing proprietors of patent medicines.

This use of the expert to aid us in governing ourselves is not an idea of your president alone. It is advised by the best authorities on government in growing numbers. One of the most eminent, Dr. A. Lawrence Lowell, President of Harvard College, says: "A democracy, like every other community, needs the best tools that it can find, and the expert of high grade is the best living tool of modern civilization."

There is, however, another school of advisers that tells us it is only necessary to fix responsibility and elect good executives. It is no doubt a good thing to fix responsibility and so it is to elect good execu-

tives, but is it true that the executive and the party behind him stand or fall upon the record for efficiency of the departments under him, or that it is easy or even possible continuously to elect good executives? It is true that if there is some great, almost criminal, scandal, the executive and the party behind him have fallen, but how about mere inefficiency? Let us use our common sense based upon practical experience. Can we, in the first place, in the absence of public scandal, judge of executive efficiency? Don't we know that it takes trained specialists months of study with power to investigate departments, summon witnesses and examine documents to decide whether there is 20% or 40% or 50% of inefficiency? For the public at large to examine all departments personally is an impossible task. Statements of the press, associations and bureaus of research are discredited at election time and it means a long ballot of issues for the voter. Again, suppose any inefficiency is proved conclusively and admitted, a mere 40% of inefficiency is not a strong issue in a campaign as against party, race and religious sentiment, other issues of public policy, the effect on the national administration, on the tariff, currency and the like. This is especially true when as is usually the case the opposing candidate on the ballot gives no certainty that he will produce more efficiency if elected. The policy of amateur operative administration watched by finance committees or bureaus of municipal research is but a poor way of securing efficiency. Even if an executive and the party behind him fall on account of inefficiency alone, we still have had the waste and extravagance for the two, three or four years which must be paid for in money, bad streets and poor health, and meanwhile there is little assurance that the next amateur administrator, however closely watched, will do much better. We are raising in rotation crops of amateur experimentors in operative work and wonder why we fail to be well served. The ballot after all is but a clumsy bludgeon with which to produce efficiency, continuity of policy and the like, and as to electing a good executive that seems to be getting harder and harder to do and for the very reason that

the candidate who gets the secret co-operation of influential political contractors, of the political boss, of the press that wants public advertisements and of the interests that desire favors, has the best chance of becoming a candidate of his party on the ballot and getting elected. No, this old way of securing efficiency through the ballot is a burden too heavy for us or our fathers to bear. It is but the cult of incompetence.

Let us end the muddle.

Is the marriage of democracy to expert service a castle in Spain and news from nowhere? On the contrary, the municipal governments that have been really efficient are those in which the expert has been consulted, relied on and given full power within his sphere. We see this plan applied in the cities of Germany and England and in Paris, France, with the very greatest success. France is a democracy in fact, so is England in practice, and even in Germany the municipalities for the greater part enjoy local self-government based upon a broad suffrage. To secure the independence of the expert, in Paris, let me remind you, the expert not only has tenure as long as he makes good but in the case of a difference with the municipal council, there is an appeal to the permanent experts of the national Department of the Interior, and in England, as you know, there is also permanency of tenure and the Local Government Board of the nation, whose experts are civil service men, has large veto and investigating control by which the experts of the municipalities are protected.

As the Encyclopedia Britannica says, we in America exempt from the merit system the higher positions where the most harm is done. Admitting, then, that we should make more use of the expert and give him large powers within his sphere, how are we to divide *his* sphere of work from that of the elected officials? The plan is that the elected officials determine the public policies and appropriate the public money, while the experts give their advice and then have full control of the work within those policies and appropriations and subject to criticism but not to arbitrary interference; that is, a clear distinction is made between the policy making on the one hand

and the operating or purely administrative spheres of government on the other, quite as clear as that which prevails in our country between the executive and the judicial. Under this plan no one person would have both policy determining and operative duties to perform.

Is it not then our plain duty to end the muddle, unite upon the expert partnership plan, restrain our itching fingers from interfering in the operating pie and give the expert tenure during honesty and capacity? In this way we shall not only take the higher and best-paid places out of partisan politics but also contracts and the purchase of supplies from being factors in nominations and elections. In doing this we not only secure more economy and efficiency but we make it easier to elect a good executive by eliminating from the political contests the arms and ammunition that we now put in the hands of the selfish and unscrupulous.

We know we have failed by mere executive appointment to secure the best experts in public service. One reason is that we do not offer them tenure beyond that of the executive that would appoint them. That makes it hard for an honest executive wishing to secure the best experts, to persuade them to serve. Rarely can one of them afford to give up a good permanent job in civil life for an uncertainty in politics.

Assuming that we ought to avail ourselves of the experts with independent tenure and use self-restraint in interfering with them, how can we select the most capable obtainable and give them security? We boldly answer, "Through up-to-date civil service reform methods." And how is that done? As it has been done over and over again during the last nineteen years in various parts of the country, including Philadelphia in the last three years. Experts of high professional standing, thorough education and long experience in medicine, law, engineering, sanitation, road building, botany, forestry, scientific farming, library administration, chemistry and the like have been selected in this way. The selection is made not by the question and answer of the ordinary written examination but by an "unassembled" investigation of careers undertaken

by the civil service commissions through the aid of appropriate specialists with a view of finding out the education, training, achievements in life and the possession of executive and organizing ability and power to handle and get on with men, of the various candidates. In this way it has been found wholly practical to extend the civil service law to all positions not purely policy determining.

To carry out this civil service selection effectively it becomes necessary to have civil service commissions that are themselves both free from partisan control and influence and are also reasonably expert in the difficult task—a task that is much more difficult than is usually appreciated—of selecting the fittest experts. Far too many civil service commissions are placed under the direct control of the executive whose patronage they are suppose to restrict. There is no necromancy about the words “civil service.” Merely saying “shut sesame” does not close the doors to patronage. Civil service commissions manipulated by spoils executives are more and more bringing the merit system into disrepute, as failing to accomplish the purposes of the reform.

It becomes our duty then to see whether civil service commissions, like judges, may not wisely be made somewhat independent of the executives, and be filled by persons not only of general ability and good reputation but with some knowledge of the system they are to enforce. It is also necessary that public opinion be aroused so as to rebuke any executive who so nullifies the principles of civil service laws.

Heretofore the main efforts of the National Civil Service Reform League have been directed to the selection of fit persons for appointment. In this way we save in the national civil service alone at least thirty millions a year over the spoils system as based upon calculations officially made. The business value of the reform has been proved by proportionate savings in state, municipal and county service wherever there is a law that has been properly enforced. Notwithstanding this great advantage, complaint has been made that those guarded by the



civil service law become lax in their efforts and routine in their methods. While this objection has been greatly exaggerated, yet we must face the fact that there is a certain amount of truth in it, especially as there are so many now in the public service originally appointed without any tests and often for political reasons, who have been "covered in" by extensions of the law.

Heads of departments even where left absolutely free can not be relied upon in the government service to get rid of the idle or inefficient. We believe that the civil service system should no longer be limited to the selection of fit persons for entrance, but should be extended ✓ to cover the whole subject of efficiency in the government service. That means the getting rid of the incapable and bracing up the others. As a part of any expert government service, there should be a branch devoted to scientific management and efficiency engineering. Through this branch of the service salaries and work in all departments will be standardized, titles made to fit duties, the supernumeraries got rid of, those who repeatedly fall below a reasonable per cent. of efficiency standards dropped automatically, those who show more than average efficiency awarded promotion for which their education and capacity fit them. Group efficiency ✓ will be measured and responsibility for its falling off put upon the persons at fault. We claim that the proper place for this branch of the service is as a bureau of the ✓ civil service commission. And why? Because in this way the civil service commissions will improve their tests by seeing how they have worked out in actual employment. Every citizen too should have a right to bring before this board complaints of misconduct or inefficiency against public employees. This whole system of efficiency supervision has been given a thorough trial for many years in the city of Chicago. It has resulted in the saving of millions of dollars and getting at the same time better work for the municipality. Not long ago Chicago was noted as having the worst paved and dirtiest streets of any large city of the country. Now, in this respect it stands among the best, and at less cost. An efficiency bureau has also

been put in operation for the departments at Washington under the National Civil Service Commission.

Our program also includes bringing within the merit system postmasters of all classes, collectors of internal revenue and of customs, marshals and immigration commissioners as recommended by President Taft in a message to Congress and commissioner and assistant commissioner of Indian Affairs and assistant secretaries of the national departments, as is done in England, so that cabinet officers may have trained assistants at hand familiar with the history of the department. To make these extensions in the national service will require Acts of Congress and to get Congress to give up its precious patronage will require a strong and enlightened public opinion. To secure this public opinion to act upon Congress and also to obtain from state legislatures new and better civil service laws, we need broad publicity in the press, to unite civic and commercial associations and to be more fully represented at Washington. We need to have departmental extensions by executive order. To illustrate I mention in this home city of the Indian Rights Association some 1,500 positions in the Indian field service that are easily capable of classification.

We have a well organized office with headquarters in New York with a strong council ready to carry out the whole program, but in order to carry out this larger program we need active assistance of public-spirited men of large experience whom we can add to our council and also large sums of money annually, for securing the services of capable men in the publicity and extension work. We appeal, then, to the public-spirited citizens to aid us in this large plan and if this work means the proof that democracy can be efficient, if it means popular control combined with administrative power, if it means mastery in the place of drift, if it means abolishing sources of contamination from political life, if it means more frequent success in selecting good executives, we then have a cause that may well appeal to the highest motives and enthusiasm of our fellow countrymen.

## Can the Civil Service of a Democracy be Made Efficient?

PRESIDENT CHARLES W. ELIOT

It has been obvious for more than a year past that democracy as a form of government is on trial before the whole civilized world. First, can it be as efficient in war as modern autocracy? To-day, no one can answer that question with confidence. If the free governments cannot organize and maintain as effective armies and navies as the autocratic governments can, and fight as well as the autocratic governments do, they will not survive the attacks of despotic governments which possess as great natural resources as the free governments, and use them with more skill and greater concentration of purpose. Such attacks on free institutions must be expected and provided against; for it has been demonstrated that there exist in Europe strong autocratic governments which are ambitious to rule not only their neighbors but the world. Secondly, has democracy been as efficient as autocracy in promoting the public welfare during periods of peace? Clearly the answer must be, No—in view of Germany's achievements since 1850.

It has been made plain by the great war in Europe that industrial, financial, and civil efficiency are all necessary to military efficiency. If, then, the free governments are to continue to live in Europe, or in the world at large, they must prove themselves to be at least as effective as autocratic governments in making the people governed healthy, strong, and industrially productive, must show themselves capable of developing industrial, commercial, and financial efficiency, as well as military, equal to that developed by any "Grace of God" despotism or oligarchic autocracy, and also of inspiring their people with intense, disinterested, patriotic devotion, which has its roots deep in love of liberty, independence of character, an enterprising habit of mind, and the voluntary practice of co-operation with others in pursuit of common ends.

The merit system of selecting newcomers and promoting the superior employees has practically been adopted in all successful and stable industrial, commercial, and financial organizations, and the selection and supervision of all employees has recently been much improved by the use of an employment manager; although his efforts are embarrassed in some trades by the uniform wage which most trades-unions prescribe, and by other obstructions that the unions offer to the demonstration of individual capacity and zeal. It is obviously indispensable to the safety and growth of democracy in the world of to-day that the merit system should be adopted also throughout the entire civil service of every democratic country.

Good progress has been made within the last forty years in applying the merit system in the lower grades of the national civil service and in all grades of the state and municipal services; but this progress has been often spasmodic and unsystematic. Much work, therefore, remains to be done by this League and all other private agencies which aim at making the civil service in a republic, comparatively, as efficient as it is under any other form of government, and, positively, efficient to a high degree.

The state and municipal governments have surpassed the national government in making their services effective; because they have applied the merit system in many of the higher grades of their services, instead of only or chiefly in the lower. State and city governments have realized that nearly all their work demands in these days the knowledge and skill of experts,—as, for instance, in the conduct of water supplies and sewer systems, the building and maintenance of bridges and highways, the regulation of building, the maintenance of fire and police departments, and the charge of the public health. Many political managers have perceived that a good way to get votes on election day is to put experts in charge of those branches of state and city work which obviously affect intimately the public convenience and the public health. Many notorious demagogues have learnt that the people prefer to have able, honorable, and experienced men in charge of all public works which affect family welfare or

the comfort and convenience of the individual citizen; and they, therefore, submit to the application of the merit system in many cases or classes of cases which they formerly treated by the spoils system. The industrial and commercial organizations are far in advance in this respect of the governmental organizations; because they see clearly that to conduct their businesses to a profit the sure way—often the only way—is to apply the merit system in them from bottom to top,—whereas the inefficient or dishonest conduct of the public business does not result in immediate and complete disaster, but only in high taxes, unnecessarily high death-rates, much loss of property and earning time through preventable sickness, fire, and flood, and postponement for the great majority of the population of comforts and satisfactions which an effective civil service would have given them. The skilful managers of a productive industry know what they must avoid, and what they must do, to create or maintain a profit from their labors. The mass of the voters in any community may be quite unaware of how much they are losing through the mismanagement of the public business; and they may, therefore, be easily diverted from insisting on good management. The terrible war which is now raging ought to teach the mass of the voters in every free country that they put at risk, through incompetency or inefficiency on the part of their civil servants, the whole fabric of their government, and all their precious ideals of public liberty and justice.

In this paper I propose to deal chiefly with considerations which apply to the national civil service. My first observation must be the familiar one, that the higher posts of the national service are not yet brought under the merit system. First, second, and third-class postmasters, district attorneys, marshals, collectors, and deputy collectors are still appointed on the spoils system, and consequently are frequently changed,—such knowledge and experience as they had gained while in office being thus lost to the country. Fourth-class postmasters generally feel that they owe their positions to their Senator or their Representative at their first appointment; and many employees in the national civil service feel

that they owe to similar influences their promotions or their protection from "demotion." This impression comes from the fact that the Postmaster General, the Secretary of the Treasury, or other appointing officer, is authorized to appoint any one of the first three candidates certified to him by the Civil Service Commission as eligible.<sup>1</sup>

In disregard of the real meaning of Section 10 of the Civil Service Act<sup>2</sup> the advice of the Senator or Representative is generally, though not always asked in making this selection from the first three names; so that political influence enters into the first appointments at the very beginning.

The eligible list is constructed on the merit principle as the result of competitive examination and investigation; the selection from that list is often made in accordance with partisan and interested advice received from senators or representatives. The giving of this advice, and the continuing responsibilities which result from having given it, take up a significant part of the time of most senators and representatives, preventing them, to that extent, from attending to their proper business. The original appointment having been thus vitiated at its source, the incumbent expects to be protected thereafter by the senator or representative who procured his original appointment; and this protection is given in many cases without regard to the public interests, and in contravention of necessary rules of office discipline. We touch here the means most in use for defeating the plain purpose of the Civil Service Act, and keeping alive the

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<sup>1</sup>This rule is thus expressed in the law: "The nominating or appointing officer shall request the certification of eligibles; and the Commission shall certify from the head of the register of eligibles, prepared for the group in which the position or positions to be filled are classified, a number of names sufficient to permit the nominating or appointing officer to consider three names in connection with each vacancy."

<sup>2</sup>Section 10 reads: "No recommendations of any person who shall apply for office or place under the provisions of this Act which may be given by any Senator or member of the House of Representatives, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under this Act."

spoils system as a pecuniary resource for political parties and candidates at great cost to national efficiency.

The Post Office is the great business department of the Government; and it should be conducted from bottom to top on strict business principles,—the first of which is the merit system in appointments and promotions. To bring this indispensable change about, senators and representatives must consent to renounce the control they now exercise over the appointments of first, second, and third-class postmasters, collectors, marshals, and so forth; and the rule which enables the appointing officer to select any one of the first three on the eligible list must be changed. This latter change might be made—probably may best be made—by an Executive order; but it is hardly reasonable to expect even a President who never makes patronage appointments to interfere in this way with what the senators and representatives of his party regard as a privilege and an important party and personal resource, particularly when he wants their votes, in order to carry measures of high importance in domestic or foreign affairs,—unless he is made aware that a widely diffused, vigorous, well-informed, patriotic public opinion demands the change.

To change all the high officials of the Post Office, or the Treasury, once in four years, or whenever the national administration passes from the hands of one political party to those of another, is to violate every principle of sound business management; and yet, under present legislation and practice, that is just what is liable to happen. The United States Post Office carries on a complicated business of vast detail which touches nearly every man, woman, and child in the country, and has a strong influence on every industrial, commercial, and domestic interest in the country. It is the natural and inevitable result of the wrong organization of the Post Office in its higher parts, and of the imperfect application of the merit system in its lower parts, that its service to the country as a whole and to all the people in it is distinctly inferior to that of any postal department in Western Europe—imperial, monarchical, or republican—and that every man, woman and child in the country

is less well served than he ought to be. The service is defective in regard to speed, frequency, and regularity of both collection and delivery; the contractors, inspectors, clerks, and carriers are often overworked or underpaid, their work is not always well planned or laid out, and they are often not supplied with the best vehicles and implements for accomplishing their tasks. All these defects result from the prevailing use of the spoils method of appointment and promotion in regard to all the higher offices in the Postal Department. They can never be remedied, until the merit system is consistently applied throughout the entire department. To this end changes in the established practices of senators and representatives in regard to appointments and promotions in the national service are indispensable. It is for the people at large, and especially for the business men of the country, to bring home to Congress its responsibility for the imperfect and archaic management of the Post Office Department, and for its consequent inability to serve the people as they ought to be served.

Some of the national departments are much better organized than the Post Office Department, in respect to the expert quality of their employees,—such, for instance, as the Department of the Interior and the Department of Agriculture. Much of the work done in these Departments, particularly the comparatively recent work, requires expert knowledge and skill. It cannot be done at all by political appointees who have no knowledge of the arts and sciences subsidiary to it. Consequently, in these Departments the merit system has been frequently applied for some years past in regard to both selection and promotion, greatly to the relief and satisfaction of the secretaries and the heads of bureaus.

In these two Departments and their like in Washington, and, indeed, in all public offices in which the merit system is consistently or in some good measure applied, there may arise the need of an agency by which discipline can be maintained, men and women who in the course of years become inefficient or careless can be eliminated, and promotions can be made promptly, with careful discrimination, and solely with a view to the good of the service.



If these matters are entrusted to heads of bureaus, special commissioners, or Cabinet officers, there is danger that the supervisory work will not be effectively done; that favoritism on partisan or personal grounds will be shown in regard to promotions; that dismissals will not be prompt enough; that demotions will be made to make room for unearned promotions; and that the most meritorious and capable employees will not be selected for promotion rapidly enough. When any government bureau or department is filled with men and women who regard their offices as permanent and the places of the Cabinet officers and Commissioners above them as temporary, there is often danger that throughout the service a bureaucratic spirit will creep in, which tends strongly to laziness, routine, and resistance to changes which mean more energy throughout the bureau or department, greater achievement, and the advancement of the most capable and zealous individuals to posts of control. The National Civil Service Commission might be made such an inspecting and supervising agency, if its own members were invariably appointed on the merit system, that is, on evidence of character, ability, and appropriate experience. It might then be given authority to advise and propose action concerning promotions, demotions, and dismissals throughout all departments of the public service, to employ inspectors and recorders enough to keep accurate account by service cards, efficiency records, and similar means, of employees in all Government departments, and to take the necessary measures for maintaining the entire personnel of the civil service in an efficient state—fresh, active, receptive to new ideas, and responsive to new leadership. That is the condition of the service of every successful business firm or corporation, and that should be the condition of the national civil service from bottom to top.

The Civil Service Reform League therefore advocates an enlargement of the work of the National Civil Service Commission; so that it shall include supervision of the records of all civil servants, and action on promotions, demotions, and dismissals in co-operation with heads of bureaus and Cabinet officers; and to this end it

advocates selection of the commissioners for fitness and appropriate experience. Heads of departments should, however, possess, for the present, the power of dismissal for reasons stated to the Commission in writing; because many experienced persons still believe this power in the administrative head of any large body of employees to be necessary to the maintenance of discipline. In all good administrations, however, this power is qualified by a genuine right of appeal by the dismissed person to some officer higher than he who ordered or suggested the dismissal. If the Rule of Three with its opportunities for political patronage were abolished, the present serious abuse of the power of dismissal, in order to make room for spoils appointees, would probably diminish; but to-day the unjust use of the power of dismissal and suspension is a formidable means of keeping the spoils system alive. The great manufacturing and mercantile corporations are now actively experimenting on "co-operative management" as means of effective discipline and acceptable control over large bodies of employees. It is probable that the civil service of the country—national, state, and municipal—will follow this leading; because in an industrial and governmental democracy that consummation is the only one likely to be permanently satisfactory.

Civil service commissions were originally supposed to select by the method of written examinations the best qualified candidates from a large number of applicants for clerical or other subordinate positions. Their function of selection and their methods of selection have been profoundly modified during the past five years. The written examination method is still used, but has become a relatively unimportant part of their selective method. This change has made possible a great extension of the commissions' work to a large number of positions requiring expert knowledge and skill, for which the number of candidates is moderate or small. The commissions have become recruiting agencies as well as selecting agencies. For effective recruiting a new method of advertising proved to be necessary, and has already been invented, chiefly as yet for obtaining good candidates for state and

municipal positions. The active and intelligent commissions, however, actually propose to suitable persons that they become candidates for civil service appointments, and present themselves for the new kind of examination into education, character, knowledge, skill, and experience. In order to examine candidates for positions requiring expert knowledge and skill, the commissions necessarily employ special examiners who are themselves expert,—that is, private citizens who are distinguished in their several professions, and are, therefore, good judges of the qualifications of candidates for high positions in the civil service. The commissions also use direct practical tests of physical and mental fitness for the precise work which the appointees will have to do. They have also introduced appropriate physical examinations for all positions, thus supporting sound physical training in schools and colleges, and putting a premium on good bodily condition. In all these improved methods of selection the Municipal Civil Service Commission of New York City has been a pioneer. It has illustrated brilliantly the recruiting function of a civil service commission, as well as its selecting function. The achievements of the Philadelphia Civil Service Commission during the past three years have also been remarkable, and very persuasive towards thorough application of the merit system as the best means of promoting the general welfare of the mass of the people.

Executive officers throughout the country,—such as the national President and Cabinet officers, the Governors, and the Mayors,—who have had experience with competent civil service commissions, have learnt much within the last ten years concerning the value to an active and efficient executive officer of a competent and permanent civil service. They have learnt that exemption from all patronage work is a great advantage to a capable and conscientious executive; because his time is not consumed on patronage questions, and because he is not obliged to make ten permanent enemies for one temporary friend by taking part in patronage contentions.

One effect of this new wisdom in executives is the diminution in the number of exempted positions near

their persons which executives think they need. Some of the most successful executives in recent years have been content with two exempted positions,—one personal, and one political secretaryship. This improvement is of good augury for that happy future, when the civil service throughout the United States shall be completely removed from politics, and executives shall have no offices whatever in their gift, except one or two confidential secretaryships,—and members of legislatures none at all. That will be a happy day for the common people, and also for their executive and legislative agents. Meantime, the people should not fail to observe that multiplication of exempted places is a favorite method with spoilsmen, a method which Civil Service Reform Associations are often obliged to resist.

Civil service reformers often appear to the inattentive public to be merely critics of this administration or that, or exposers of this abuse or that; and, indeed, their function has often been that of calling attention to inefficiency in the public service and shortcomings on the part of public officials; but at bottom they are advocating a work of moral or ethical construction, become indispensable to the supremacy of free institutions in the world of to-day and to-morrow. By such constructive work the welcome proof will be given that the civil service of a democracy can be made thoroughly efficient.

## The Application of the Merit System to Post Offices of the Presidential Class

SENATOR GEORGE W. NORRIS OF NEBRASKA

The subject assigned me for discussion is: "The Application of the Merit System to Post Offices of the Presidential Class." There is no argument in favor of putting postmasters into the classified service that does not apply with equal force to all other positions in the entire Post Office Department. This is only another way of expressing the idea that the Post Office Department should be taken out of politics. It may be said in passing that no argument can be made in favor of taking the Post Office Department out of politics that does not apply with equal force to practically every department of government. It applies also, to every state, county and municipal government in the United States. I prefer therefore, to discuss the question upon the broader phase,—the application of the merit system to the entire Post Office Department, or, to put it in a still broader sense, I am in reality discussing the question of eliminating partisanship from governmental affairs, and am using the Post Office Department only as an illustration. Partisanship has always been recognized as one of the great evils of government. The framers of our Constitution never intended that partisanship should gain the enormous power that it has attained in modern times. It has always been recognized as an evil and its injurious and demoralizing effects are pointed out by Washington in his Farewell Address. Its baneful and injurious effects are felt wherever it exists. It is an enemy to efficiency, economy and honesty. Its withering influence contaminates everything with which it comes in contact. Political parties ought to be only instrumentalities of government, rather than government an instrumentality of party. Partisanship is the cohesive force that keeps together every political machine on earth. It is the food on which political bosses feast and grow fat. It is always nourished and kept alive by

political patronage or money, but usually by both. The political boss deals in patronage like the merchant handles his wares over the counter. He sells offices and the recipients must give value received, either in political work, official favors or in cash through political contributions. He is not interested in efficiency, economy or honesty in government. He is only interested in party control and in party distribution of patronage. He considers the welfare of the people as secondary to party solidarity, party control and party favor. Through the instrumentality of patronage, he controls legislatures, congresses, governors, and even courts and presidents. Every public official, regardless of what position he occupies, ought to cease to be a partisan the moment he goes into public office. In every official act that he performs and in every official appointment that he makes, he ought to be guided only by the good of the service and not be influenced by the control of the party. There is no place in official life, from the President in the White House down to the school moderator in the country, where any official act or any official appointment ought to be influenced or controlled by partisanship. Our country would hail with delight, any proclamation from the White House that the President of the United States had decided that in all of the various departments of our Federal Government, partisanship should have nothing to do with appointment to office and that no official action of any federal office holder should be controlled or influenced by party considerations, but that every appointment to office and every promotion in office and every official act by any office holder should have for its sole object, honest efficiency. It has been the aim of honest, progressive citizens the country over, for many years, to take various positions of government out from under the control of partisanship. This idea was the origin of the civil service law. Much has been accomplished in this line, and yet, but small headway has been made. Unimportant and insignificant positions—those of small salary—have been placed under civil service, but the important positions where the responsibility is great and the salary large, are still subject for traffic and sale across the political pie counter. The object of the civil service is to improve

government, and it is a remarkable fact that there has never been an instance where a political position has been placed in the classified service that the same has ever been put back under political control by the people themselves. And there has never been an instance where positions have been thus classified but what improvement in government has resulted.

The Post Office Department of our government does business and comes in contact with more people than any other department of this or any other government in the civilized world. We are daily dependent upon it for the success of our business enterprises, for the education of our children and for the happiness and comfort of all our people. If its operations should be suspended for one day, we would be completely lost in a maze of bewilderment. It does not cease its work and its operation when nightfall empties the counting house, closes the business office, empties our schools and drives the busy life from off our crowded streets; but while we are slumbering in peace, recruiting and renewing our strength for a new day, its employees and faithful servants are toiling during the weary hours of the night in the performance of their various duties, separating, on busy pounding railways and in countless post offices, the millions of missives, messages and documents that shall on the coming morning, be promptly placed in the waiting hands of millions of our citizens. In all this great department, from the faithful rural carrier who delivers mail to the ranchman far out on the western plains, to the Postmaster General who sits in his luxurious office in our nation's capital, there is not a single, solitary duty to be performed by any of its countless employees and officials that is either directly or indirectly of a partisan political nature. Altogether, they constitute a great army working with ceaseless vigor for the success and happiness of all the people, regardless of creed, religion or politics. There is nothing equal to it in all the civilized world. The work of this great department could not be performed with any degree of efficiency if a very large number of its three hundred thousand employees were not already classified under the civil service, and it is because a large majority of these public servants are thus classified that its present

efficiency is kept up. And yet, the honest citizen must be shocked when he realizes that this classification applies only to the inferior position. The men and women who do the actual work, but who draw the smallest salaries—in reality, the privates, are all under the civil service. The important positions, those in which the higher salaries are paid,—the major generals, the colonels, the captains and the lieutenants in this vast army have been appointed and hold their positions because of political activities in behalf of some political party or some faction of some political party, or some particular public official. They are subject to removal and are as a rule removed whenever there has been a change in one office,—the presidency. If we would at one stroke remove from office all of the persons in the Post Office Department who are now under civil service, the Department would collapse, it could not perform its various functions. On the other hand, if all of the political office-holders in the Department were at once removed and no one kept but the civil service employees, the Department could go on almost indefinitely in the regular routine of its business. I have in mind a first class post office in the capital of one of our states, where a new postmaster was appointed and before he had learned even the routine duties of his office, he died. The place remained vacant for several months and then another postmaster was appointed and before the faithful classified servants of the office had taught him his duties, he also died. The office then again remained vacant for quite a long time, when the third postmaster was appointed. In reality, there was a vacancy in this office for over a year. In fact, it was worse than a vacancy, because it was necessary when these various appointees went into office, for classified officials in the office to spend a good portion of their time in teaching them their new duties. And yet, during all the time of this vacancy the patrons of the office could not have told from the management of the office itself, that there was any vacancy in the postmastership. The records of the Department at Washington will likewise show that all the work of the postmaster had been carefully and properly attended to by appointees in the office under the classified service. Can anyone give a reason why the postmaster at Phila-



delphia, for instance, should be dismissed and a new man employed to take charge of that great office, simply because there has been a change in the presidency of the United States? What official connection does the postmaster at Philadelphia or any other city, have with the presidency? There are nearly eight thousand presidential offices in the United States, and almost without exception these men have all been selected not because of any knowledge they possessed of the duties pertaining to the office or their understanding of the various workings of the Post Office Department, but because of their political activity and influence in their respective communities in behalf of some political party or some political candidate. Why are these offices made the personal property of political officials? As long as this method prevails the Post Office Department must of necessity be a great political machine. Ability to perform the duties of the office are desired, but such proficiency is a secondary consideration. The first and controlling reason is one of pure partisanship. The office is given to the man who has done faithful political service and who it is believed will be able to do the best political work for some party or official in the future. But after the postmaster has served several years and has been duly instructed by the faithful classified clerks, and has reached a reasonable proficiency in office, there has perhaps been a change in the political control at Washington, or what will have the same effect, a different faction in his own political party has gained ascendancy and he must be removed and another man put in his place, who is equally without any particular qualification for the office, and again, the faithful assistant postmaster will have a new student to take instruction as to his public duties. And so we go on from one administration to another, from one faction in a party to another faction in the same party, dealing out these positions as though they were the personal property of whatever political machine happened to be in control. Why should not this great department be operated upon a business basis? What corporation could do business in a similar way and be kept out of the hands of a receiver? Let us compare it, for a moment, with the great Pennsylvania Railway Sys-

tem. When the president or other controlling official of that great corporation finds an agent in some little country town who shows some particular ability beyond the scope of that required at his particular station, he promotes him and gives him a better position at an increased salary, and his promotion and his salary increase depend entirely upon the proficiency which he shows in the various positions he holds. Men are presidents of great railroad corporations who formerly worked on the section, and it is a well known fact that such men make the best managers of such great institutions, because they know every detail of every position from the bottom to the top. Our Post Office Department ought to be the most proficient and scientifically operated corporation in the world. It will become such if we eliminate politics and provide for appointment and promotion of the various officials in the Department on account of proficiency and demonstrated ability.

The practical question at once presents itself: How can we bring about this much desired improvement in the Department? What law must be passed in order to take the Post Office Department entirely out of politics and place it in the merit system? Technically speaking, we cannot put the Postmaster General into the civil service. He is the head of a department and the Constitution provides that the heads of departments are to be appointed by the President and we cannot take this appointing power away except by an amendment to the Constitution. But the Constitution also provides that the President shall appoint the members of the Supreme Court and yet, the Supreme Court is entirely removed from political domination. Why could we not apply the same principle to the Postmaster General and take him, also, out of the realm of politics? It would be a very easy matter to provide by law for the appointment of the Postmaster General for a long term of years, or even during good behavior, and thus place him as far beyond politics and political control as are members of the Supreme Court. Then it could be provided by law that all other appointments in the Department should be made by the Postmaster General and that he should make such appointments from lists made up by the Civil Service Commis-

sion, the same as all other classified appointments are made. It would be very easy to state in the law itself, that it was the intention of the law-makers and that it should be the duty of the Postmaster General, to place the Department entirely upon a civil service basis. The law should also provide for the transfer of officials from one branch of the Department to another, and for the promotion under civil service rules, from one post office to another. If these simple changes were made in the law the Post Office Department would at once become a non-partisan institution, a great governmental corporation, organized upon scientific lines, performing a purely non-partisan service for all of the people.

I am not finding fault with any of our postmasters. It is the system by which they are appointed and removed that is to blame. Every postmaster knows that he will lose his position just as soon as his party loses control of the presidency, or what is equally uncertain, just as soon as his faction in his own political party loses its control of that party. With this uncertain tenure, a postmaster cannot be expected to give his best efforts to the Department. He must hold on to his business or profession because he knows it will probably not be long until he will be put out of office and again be dependent upon his own efforts for a livelihood. The result is that while he performs his official duty, his mind is upon his private business; while he is working with his hands for the Government, his mind and brain are following private lines of business. That he should neglect his official duties under such circumstances is not only probable, but perfectly natural. The Government pays him a salary sufficient to receive all his time and all his ability. If he shows exceptional proficiency, it ought to be possible to promote him in the service, and yet, he knows that this is impossible, and the result is he does not, and cannot be expected to devote his mind and his energy to the improvement of the system, or even to the increasing of its present proficiency. This is not true of any business concern in the civilized world. From the very nature of things, the postmaster is a politician. It is probably because he was a politician that he secured the office and since his very official existence depends upon politics, he

continues to be a politician. It would be wrong as long as present conditions exist, to expect him to do otherwise. If our Post Office Department were placed in the civil service and the few changes I have suggested were made in the law, it would be possible for a rural carrier away out on the western plains, or a postmaster in a country town, or a railway mail clerk, to advance step by step, and eventually, on account of his own demonstrated ability, become postmaster of one of our great cities or one of the Assistant Postmaster Generals in the Department at Washington. If this were possible, the Post Office Department would take on new life. Its proficiency and improvement would be continually on the increase. Every employee would be moved by a laudable and honest ambition to improve his own condition and increase his own salary, which he could only do by increasing the proficiency of the Department itself. Men and women instead of going into the Department for temporary purposes, would enter it as a life profession. Postmasters instead of devoting their time and attention to their private affairs, would devote all of their ability and all of their energies to their official duties, and the results would certainly appear in the betterment and the increased proficiency of the entire Department. It would become a profession where ability and competency would be displayed for the improvement and the economical administration of the business.

The adjustment of the Post Office Department along the line I have outlined would bring about many economies. In the first place, it would be possible to reduce the salaries of some of the larger post offices. Postmasters holding such positions would gladly welcome such a reduction, if the tenure of office were made dependent upon faithful service, and if upon such faithful service they would be entitled to promotion, and were relieved from political contributions. From a careful investigation that I have made, I am confident that a million dollars annually could be saved in this item alone. But the greatest improvement would be in efficiency of service and economy of management. Every employee of the Department would at once become an earnest and enthusiastic instrumentality for the improvement and development of the service. He would not only be working with

his hands, but he would be working with his brain. The Department would get the benefit of his thought as well as his physical labor. Improved methods and better service would naturally be developed everywhere. One cent postage would come as a natural result of the many improvements and economies that would be brought about. The Department would, in addition to this, be self-sustaining. No man can foretell the extent of improvement and development that would be brought about, but that it would be great and far-reaching there can be no possibility of doubt.

But greater and above all, would come the lesson that such a system would teach to the country. The merit system applied to the Post Office Department would be a beacon light that would soon educate the public sentiment of the country to a point where it would be demanded that the same system should be applied to all other departments of government. The beneficial effects of the system would extend into states, counties and municipalities. The traffic and trading by the political boss in public office would cease; proficiency in public service would become the watchword, and there would be no end to the reform until the thought was thoroughly emblazoned in every patriotic heart, that public service should be, and must become a public trust, and that the retention of official position must depend upon honesty and proficiency.

ORGANIZATION  
OF THE  
National Civil Service Reform League.

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CONSTITUTION

[REVISED DECEMBER 13, 1900.]

ARTICLE I.

The name of this organization shall be the National Civil Service Reform League.

ARTICLE II.

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of civil service reform in the United States.

ARTICLE III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such Association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such Association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other society or organization to take part in any designated meeting of the League.

The Council may also admit, in such manner as it may prescribe, associate and sustaining members of the League. The annual dues for associate members shall

be five dollars and for sustaining members twenty-five dollars. Associate and sustaining members shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

#### ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any Association shall demand a vote by Associations, in which case each Association represented shall be entitled to one vote, which vote shall be cast by the delegates from such Association present at such meeting or by a majority of them.

#### ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

#### ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be chosen, and may be removed by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be *ex-officio* members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice-President may be filled by the Council until the annual meeting next following.

#### ARTICLE VII.

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

#### ARTICLE VIII.

There shall be an annual meeting of the League at such time in each year, and at such place as the Council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

#### ARTICLE IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.



## BY-LAWS.

[ADOPTED BY THE COUNCIL JANUARY 18, 1901.]

§ 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.

§ 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.

§ 3. The Council shall elect its Chairman and the Secretary, Treasurer and Assistant Secretary of the League, at its meeting next succeeding each annual meeting of the League.

§ 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made, during the year.

§ 5. The order of business at each meeting of the Council shall be:

1. The reading and correction of the minutes of the last meeting.

And thereafter, unless otherwise ordered, as follows:

2. The admission of new Associations.
3. Statement of the Treasurer.
4. Report from the office of the Secretary.
5. Reports of Standing Committees.

6. Reports of Special Committees.

7. Miscellaneous business.

§ 6. There shall be the following Standing Committees to be annually appointed as the Council shall direct:

(1) A Committee on Finance, to consist of not less than nine members;

(2) A Committee on Publication, to consist of at least three members; and, *ex-officio*, the Secretary and the President of the League; and

(3) A Committee on Law, to consist of at least four members, and, *ex-officio*, the Chairman of the Council.

These Committees shall discharge the duties appropriate to their respective titles; vacancies occurring in any one of them may be filled by the Chairman of the Council.

§ 7. The following Special Committees shall be appointed as the Council shall direct, and discharged at the conclusion of the annual meeting of the League, next following:

(1) A Committee on Nominations, to consist of six members and, *ex-officio*, the Chairman of the Council.

(2) A Committee on Resolutions, to consist of six members, and, *ex-officio*, the President of the League.

These two Committees shall submit their reports at a meeting of the Council immediately preceding the annual meeting of the League.

(3) A Committee on Report and Programme, to consist of two members, and, *ex-officio*, the President of the League, the Chairman of the Council and the Secretary; a part of whose duty shall be to prepare, for consideration by the Council, the draft of the annual report required by Article VI of the Constitution.

§ 8. These By-Laws may be amended at any meeting of the Council by a unanimous vote of the members present, or by the vote of a majority of such members, provided that, in the latter event, notice of the contemplated amendment shall have been given in the call of the meeting.



## **PUBLICATIONS OF THE NEW YORK CIVIL SERVICE REFORM ASSOCIATION**

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- Annual Reports of the New York Civil Service Reform Association, 1895 to 1915, inclusive, except 1912 out of print.**  
**Term and Tenure of Office.** By Dorman B. Eaton. (1882.)  
**Daniel Webster and the Spoils System.** An extract from Senator Bayard's oration at Dartmouth College, June, 1882.  
**Address of Hon. Carl Schurz** in opposition to the bill to amend the New York Civil Service Laws, commonly known as the "Black Act." May 6, 1897.  
**Retirement Legislation in New York.** Report of a Special Committee. (1911.)
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### **MISCELLANEOUS.**

- The Organisation of the Modern Consular Service.** By George McAneny. (Reprinted, by permission, from the Century Magazine, for February, 1899.)  
**Civil Service in Great Britain.** By Dorman B. Eaton. Published by Harper & Brothers. (1881.)  
**The Relation of Civil Service Reform to Municipal Reform.** By Carl Schurz. Published by the National Municipal League.  
**The Merit System in Appointment to Office.** Report of the Civil Service Committee of the Civic League of the Board of Freeholders of Saint Louis. (1909.)
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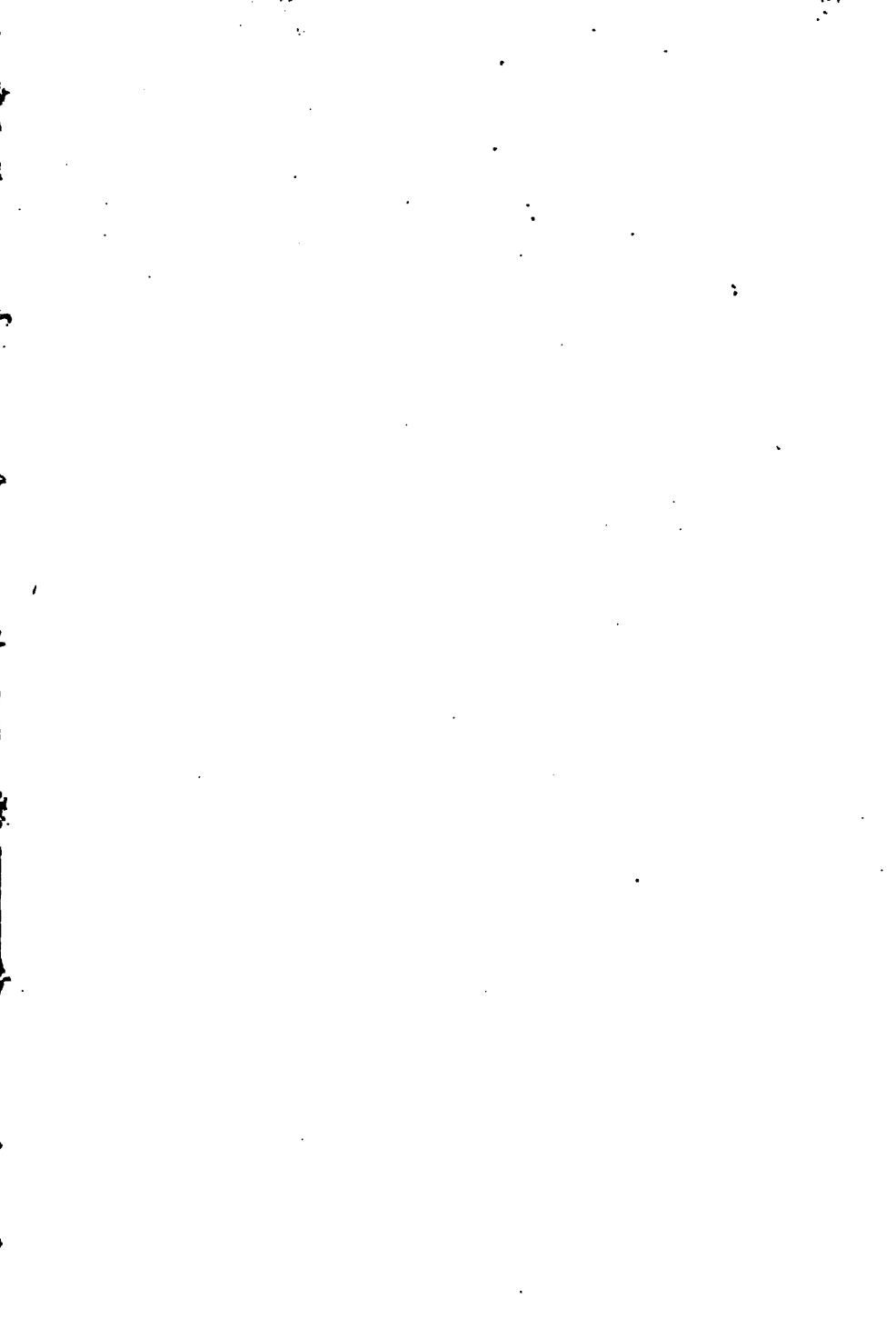
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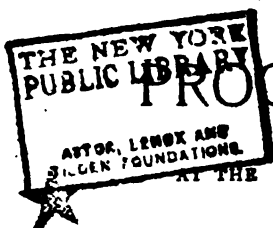
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**The Business Value of Civil Service Reform.** Revised Edition. (1911.)

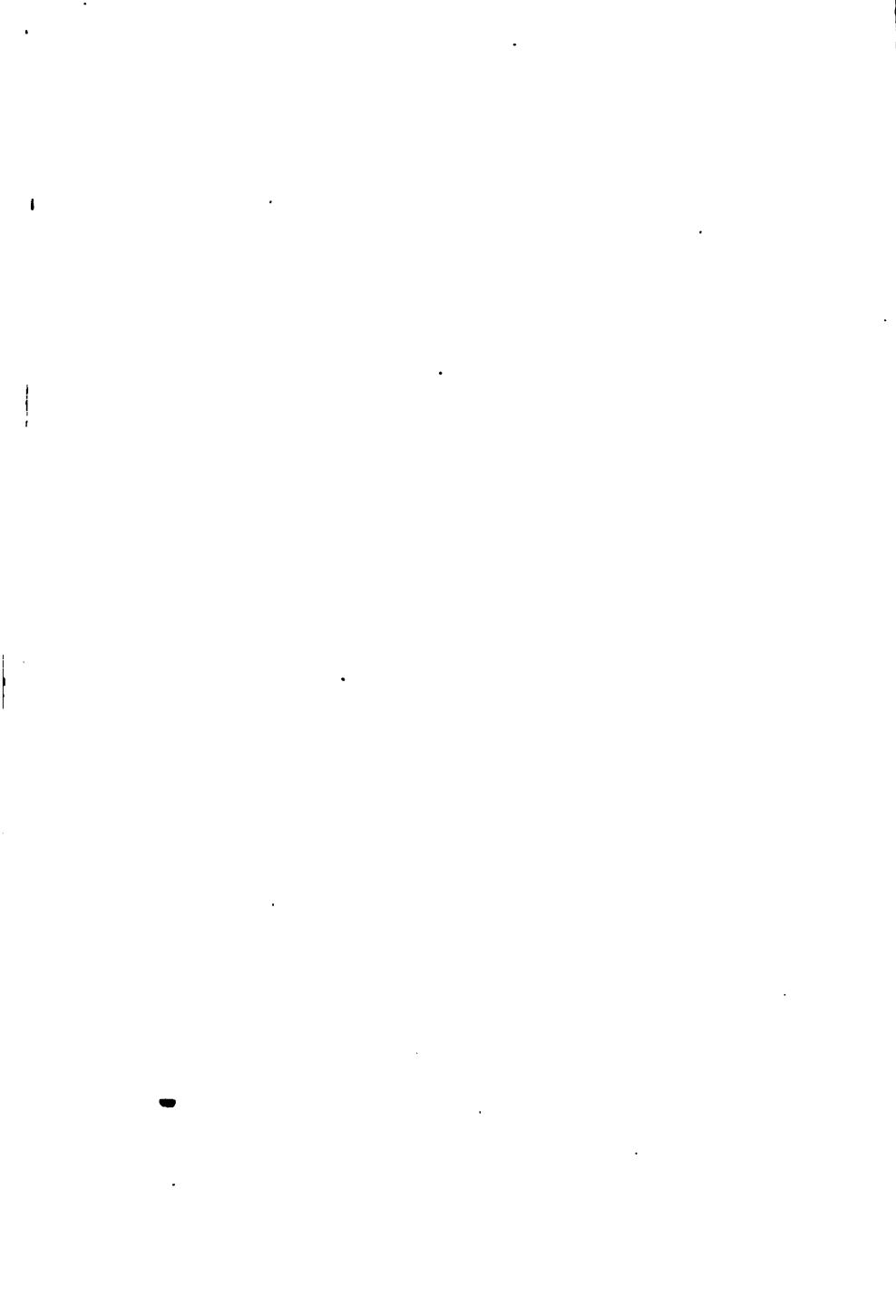
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